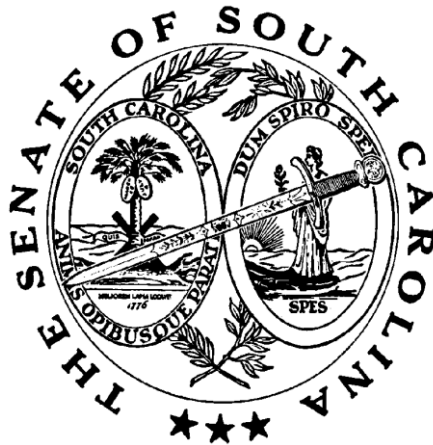


NO. 33

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 14, 2020

TUESDAY, MARCH 10, 2020

Tuesday, March 10, 2020
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 2:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Joshua 1:9

“Be strong and courageous; do not be frightened or dismayed, for the Lord your God is with you wherever you go.”

Let us pray. Gracious and loving God, each day presents us with new challenges and blessings. Even though most of us are not Irish, on this St Patrick’s day, we remember the words he spoke as he began his day, “I arise today, through God’s might to uphold me, God’s wisdom to guide me, God’s eye to look before me, God’s ear to hear me, God’s hand to guard me, God’s way to lie before me, and God’s shield to protect me.” May this be our prayer each morning as we acknowledge that our wisdom and our strength is insufficient for the day. Through Your grace and Your power we pray, Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 2:03 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Motion Adopted

On motion of Senator SETZLER, the Senate agreed to stand at ease.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

TUESDAY, MARCH 10, 2020

Statewide Appointments

Initial Appointment, South Carolina Commission on Disabilities and Special Needs, with the term to commence June 30, 2018, and to expire June 30, 2022

6th Congressional District:

Eddie L. Miller, Jr., 2110 Avenue A, Mayesville, SC 29104-8917

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina Commission on Disabilities and Special Needs, with the term to commence June 30, 2018, and to expire June 30, 2022

7th Congressional District:

Stephanie M. Rawlinson, 1825 Brigadoone Lane, Florence, SC 29505-3236 *VICE* VACANT

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina Public Charter School District Board of Trustees, with the term to commence August 1, 2019, and to expire August 1, 2022

At-Large - Gubernatorial:

Randall S. Page, 409 Library Drive, Greenville, SC 29609

VICE Linzie R. Staley

Referred to the Committee on Education.

REGULATION WITHDRAWN

The following was received:

Document No. 4900

Agency: Department of Social Services

Chapter: 114

Statutory Authority: 1976 Code Section 43-1-80

SUBJECT: Licensure for Foster Care

Received by Lieutenant Governor January 14, 2020

Referred to Committee on Family and Veterans' Services

Legislative Review Expiration: Permanently Withdrawn

Permanently Withdrawn March 6, 2020

TUESDAY, MARCH 10, 2020

REGULATIONS WITHDRAWN AND RESUBMITTED

The following were received:

Document No. 4914

Agency: Department of Natural Resources

Chapter: 123

Statutory Authority: 1976 Code Sections 50-11-2200 and 50-11-2210

SUBJECT: General Regulation; and Additional Regulations Applicable to Specific Properties

Received by Lieutenant Governor January 14, 2020

Referred to Committee on Fish, Game and Forestry

Legislative Review Expiration May 13, 2020

Withdrawn and Resubmitted March 10, 2020

Document No. 4915

Agency: Department of Natural Resources

Chapter: 123

Statutory Authority: 1976 Code Sections 50-1-60, 50-1-200, 50-1-220, 50-9-650, 50-11-10, 50-11-105, 50-11-310, 50-11-315, 50-11-320, 50-11-365, 50-11-390, 50-11-410, 50-11-430, 50-11-500, 50-11-520, 50-11-525, 50-11-530, 50-11-580, 50-11-2200, and 50-11-2210

SUBJECT: Wildlife Management Area Regulations; Turkey Hunting Rules and Seasons; and Date Specific Antlerless Deer Tags, Individual Antlerless Deer Tags, and Antlerless Deer Limits for Private Lands in Game Zones 1-4, and Youth Deer Hunting Day

Received by Lieutenant Governor January 14, 2020

Referred to Committee on Fish, Game and Forestry

Legislative Review Expiration May 13, 2020

Withdrawn and Resubmitted March 10, 2020

Leave of Absence

At 2:54 P.M., Senator NICHOLSON requested a leave of absence for Senator GAMBRELL for the day.

Leave of Absence

At 2:56 P.M., Senator HUTTO requested a leave of absence for Senator SHEHEEN for the balance of the day.

Expression of Personal Interest

Senator JACKSON rose for an Expression of Personal Interest.

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Expression of Personal Interest

Senator SABB rose for an Expression of Personal Interest.

Remarks to be Printed

On motion of Senator SETZLER, with unanimous consent, the remarks of Senator SABB, when reduced to writing and made available to the Desk, would be printed in the Journal.

Expression of Personal Interest

Senator HARPOOTLIAN rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 32	Sen. Turner
S. 461	Sen. Senn
S. 997	Sen. Hutto
S. 1018	Sen. Fanning
S. 1084	Sen. Senn
S. 1093	Sen. Martin
S. 1137	Sen. Turner

CO-SPONSORS REMOVED

The following co-sponsors were removed from the respective Bills:

S. 389	Sen. Davis
S. 1077	Sen. Martin

RECALLED

H. 5344 -- Reps. Simrill, Cobb-Hunter and Finlay: A CONCURRENT RESOLUTION TO RECOGNIZE APRIL 6 THROUGH 10, 2020 AS "INDEPENDENT COLLEGES AND UNIVERSITIES WEEK" AND APRIL 8, 2020 AS "INDEPENDENT COLLEGES AND UNIVERSITIES DAY."

Senator HEMBREE asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Education.

The Concurrent Resolution was recalled from the Committee on Education and ordered placed on the Calendar for consideration tomorrow.

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RECALLED

S. 977 -- Senator Rankin: A BILL TO ADOPT REVISED CODE VOLUMES 11A AND 20 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF THEIR CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2020.

Senator YOUNG asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1152 -- Senators Leatherman, Setzler and Alexander: A BILL TO AMEND SECTION 12-6-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2019 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

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Read the first time and referred to the Committee on Finance.

S. 1153 -- Senator Jackson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR MT. CALVARY BAPTIST CHURCH FOR ITS ONGOING MINISTRY IN THE COLUMBIA AND CHILDS COMMUNITIES AND TO CONGRATULATE THE PASTOR AND CONGREGATION AS THEY CELEBRATE THEIR ONE HUNDRED FIFTY-FIRST ANNIVERSARY.

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The Senate Resolution was adopted.

S. 1154 -- Senator Jackson: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND BENEDICT COLLEGE FOR THE TRANSFORMATIVE IMPACT THE INSTITUTION HAS MADE ON THE LIVES OF LEGIONS OF STUDENTS AND ALUMNI, THE

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COMMUNITY, THE STATE OF SOUTH CAROLINA, THE NATION, AND AROUND THE WORLD FOR A CENTURY AND A HALF AND TO CONGRATULATE STUDENTS, ALUMNI, FACULTY AND ADMINISTRATION AS THEY CELEBRATE THEIR SESQUICENTENNIAL ANNIVERSARY.

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The Concurrent Resolution was adopted, ordered sent to the House.

S. 1155 -- Senator Campbell: A BILL TO AMEND SECTION 31-6-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAX INCREMENT FINANCING PROJECTS, SO AS TO INCLUDE PRIVATELY OWNED AFFORDABLE HOUSING PROJECTS WITHIN THE DEFINITION OF REDEVELOPMENT PROJECT.

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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 1156 -- Senator Campbell: A BILL TO AMEND CHAPTER 4, TITLE 47 OF THE 1976 CODE, RELATING TO THE STATE LIVESTOCK-POULTRY HEALTH COMMISSION, BY ADDING SECTION 47-4-65, TO PROVIDE THAT A LIVE MEMBER OF THE FAMILY SUIDAE (PIG) TRANSPORTED ON A PUBLIC ROAD OR WATERWAY IN THIS STATE MUST BE ACCOMPANIED BY AN OFFICIAL FORM OF IDENTIFICATION THAT IS APPROVED BY THE STATE VETERINARIAN FOR THIS PURPOSE, AND TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO MISUSE OR ALTER A PERMIT, TAG, OR OFFICIAL FORM OF IDENTIFICATION; TO AMEND SECTION 50-16-25 OF THE 1976 CODE, RELATING TO THE UNLAWFUL RELEASE OF PIGS AND PERMIT EXCEPTIONS, TO PROVIDE THAT IT IS UNLAWFUL TO POSSESS, BUY, SELL, OFFER FOR SALE, TRANSFER, OR TRANSPORT A PIG TAKEN FROM THE WILD UNLESS CERTAIN REQUIREMENTS ARE MET, AND TO PROVIDE THAT IT IS UNLAWFUL TO RELEASE A PIG INTO THE WILD; AND TO REPEAL SECTION 50-9-655 OF THE 1976 CODE, RELATING TO A PIG TRANSPORT AND RELEASE PERMIT AND A PIG ENCLOSURE PERMIT.

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Read the first time and referred to the Committee on Agriculture and Natural Resources.

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S. 1157 -- Senator Loftis: A BILL TO AMEND SECTION 12-36-2120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO AS TO EXEMPT ITEMS SOLD TO SCHOOL DISTRICTS, SCHOOLS, AND INSTITUTIONS OF HIGHER LEARNING FOR THE PURPOSE OF IMPROVING SCHOOL SAFETY.

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Read the first time and referred to the Committee on Finance.

S. 1158 -- Senator Davis: A SENATE RESOLUTION TO ACKNOWLEDGE THE IMPORTANCE OF EMERGING BLOCKCHAIN TECHNOLOGY AND TO CALL UPON THE RESIDENTS OF SOUTH CAROLINA TO JOIN IN ENCOURAGING THE PROMOTION OF BLOCKCHAIN TECHNOLOGY IN OUR STATE.

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The Senate Resolution was adopted.

S. 1159 -- Senator Bennett: A SENATE RESOLUTION TO HONOR CINDY POHAR OF SUMMERVILLE FOR HER YEARS OF DEDICATED SERVICE AND OUTSTANDING CONTRIBUTIONS TO THE SOUTH CAROLINA GEODETIC SURVEY AND THE PROFESSIONAL LAND SURVEYORS OF THIS STATE, TO CONGRATULATE HER ON HER RECENT RETIREMENT, AND TO WISH HER MUCH CONTINUED SUCCESS AND FULFILLMENT IN THE DAYS AHEAD.

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The Senate Resolution was adopted.

S. 1160 -- Senators Harpootlian and Climer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 39-1-100 SO AS TO PROVIDE THAT THE DEPARTMENT OF COMMERCE SHALL KEEP A RECORD OF ALL ECONOMIC DEVELOPMENT INCENTIVE CLAWBACKS AND SHALL REPORT ON ALL CLAWBACKS THAT HAVE BEEN TRIGGERED.

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Read the first time and referred to the Committee on Finance.

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S. 1161 -- Senators Jackson, Setzler, Kimpson, Allen, Fanning, Harpootlian, Hutto, Johnson, Malloy, J. Matthews, M. B. Matthews, McElveen, McLeod, Nicholson, Reese, Sabb, Scott, Sheheen and Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-146 SO AS TO REQUIRE ALL INDIVIDUAL AND GROUP HEALTH INSURANCE PLANS, HEALTH MAINTENANCE ORGANIZATIONS, AND THE STATE HEALTH PLAN TO WAIVE COST-SHARING REQUIREMENTS ASSOCIATED WITH TESTING FOR COVID-19 AND TO DEFINE APPLICABLE TERMS.

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Read the first time and referred to the Committee on Banking and Insurance.

S. 1162 -- Senators J. Matthews and Hutto: A SENATE RESOLUTION TO RECOGNIZE OLIVER "BUDDY" POUGH, HEAD FOOTBALL COACH OF SOUTH CAROLINA STATE UNIVERSITY, FOR HIS OUTSTANDING COACHING CAREER AND TO CONGRATULATE HIM FOR SETTING THE SCHOOL'S RECORD FOR COACHING WINS.

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The Senate Resolution was adopted.

H. 4454 -- Reps. Long, Chumley, Burns, Allison, Felder, Morgan, Taylor, Jefferson, Brown, Tallon, Yow, Ridgeway, Martin and B. Newton: A BILL TO AMEND SECTION 56-5-1538, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EMERGENCY SCENE MANAGEMENT, SO AS TO DELETE PROVISIONS THAT REGULATE THE CONDUCT OF A DRIVER OF A VEHICLE APPROACHING AN EMERGENCY SCENE OR EMERGENCY VEHICLE, THE PENALTIES FOR VIOLATING THIS SECTION, AND CERTAIN TERMS AND THEIR DEFINITIONS; BY ADDING SECTION 56-5-1539 SO AS TO PROVIDE DEFINITIONS FOR CERTAIN TERMS, REGULATE THE CONDUCT OF A DRIVER OF A VEHICLE APPROACHING A TRAFFIC INCIDENT SCENE, AND PROVIDE PENALTIES; TO AMEND SECTION 56-5-1535, RELATING TO THE OFFENSE OF ENDANGERMENT OF A HIGHWAY WORKER AND PENALTIES FOR A VIOLATION OF THIS OFFENSE, SO AS TO REVISE THE DEFINITION OF THE TERMS "HIGHWAY WORK ZONE" AND "HIGHWAY WORKER"; AND BY ADDING SECTION 56-5-1537 SO AS TO PROVIDE THE

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DEPARTMENT OF TRANSPORTATION MUST PROVIDE TRAFFIC INCIDENT MANAGEMENT TRAINING TO A DRIVER OF A WRECKER OR TOWING SERVICE VEHICLE FREE OF CHARGE.

Read the first time and referred to the Committee on Transportation.

H. 4460 -- Rep. Johnson: A HOUSE RESOLUTION TO CONGRATULATE FRANCIS DELEON FLOYD OF HORRY COUNTY ON THE OCCASION OF HIS ONE HUNDREDTH BIRTHDAY AND TO WISH HIM MUCH HAPPINESS IN THE DAYS AHEAD.

The Senate Resolution was introduced and referred to the Committee on Finance.

H. 4710 -- Reps. Bernstein, Finlay, Clary, Collins, Wooten, G. R. Smith, Clyburn, Hosey and Rose: A BILL TO AMEND SECTIONS 16-17-500 AND 16-17-501, AS AMENDED, AND SECTIONS 16-17-502, 16-17-503, 16-17-504, AND 16-17-506, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE "YOUTH ACCESS TO TOBACCO PREVENTION ACT OF 2006", SO AS TO MAKE TECHNICAL CORRECTIONS; TO AMEND SECTION 44-95-20, AS AMENDED, RELATING TO CERTAIN PUBLIC INDOOR AREAS WHERE SMOKING IS PROHIBITED IN SOUTH CAROLINA, SO AS TO APPLY ALSO TO THE USE OF VAPOR PRODUCTS; AND TO AMEND SECTION 59-1-380, RELATING TO THE MANDATORY PUBLIC SCHOOL COMPREHENSIVE TOBACCO-FREE CAMPUS POLICY, SO AS TO MAKE TECHNICAL CORRECTIONS.

Read the first time and referred to the Committee on Judiciary.

H. 4937 -- Reps. Fry, Rose, Hewitt, Kirby, Clary, W. Newton, Erickson, Clemmons and B. Newton: A BILL TO AMEND SECTION 33-57-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXCEPTIONS TO THE PROHIBITION ON LOTTERIES AND RAFFLES, SO AS TO CLARIFY THAT ELECTRONIC GAMING DEVICES ARE PROHIBITED; TO AMEND SECTION 33-57-110, RELATING TO DEFINITIONS, SO AS TO EXPAND THE DEFINITION OF A "NONPROFIT ORGANIZATION" TO INCLUDE AN ORGANIZATION RECOGNIZED AS TAX-EXEMPT UNDER INTERNAL REVENUE CODE SECTION 501(c)(5) AND TO DEFINE THE TERM

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"ELECTRONIC GAMING DEVICE"; TO AMEND SECTION 33-57-120, AS AMENDED, RELATING TO RAFFLES CONDUCTED BY NONPROFIT ORGANIZATIONS, SO AS TO AUTHORIZE NONPROFIT ORGANIZATIONS RECOGNIZED AS TAX-EXEMPT UNDER INTERNAL REVENUE CODE SECTION 501(c)(5) TO CONDUCT A RAFFLE AND TO REMOVE THE PROHIBITION ON THE USE OF FUNDS RAISED BY THE RAFFLE TO PURCHASE ATHLETIC EQUIPMENT; TO AMEND SECTION 33-57-140, AS AMENDED, RELATING TO STANDARDS FOR RAFFLES, SO AS TO INCREASE THE FAIR MARKET VALUE OF INDIVIDUAL PRIZE AND TOTAL PRIZE LIMITS; TO AMEND SECTION 33-57-150, RELATING TO ALLOWABLE EXPENSES AND RECORDS FOR A RAFFLE, SO AS TO PROVIDE WHAT MUST BE CONTAINED IN THE REPORT TO THE SECRETARY, TO ALLOW FOR THE SUBMISSION OF ONE REPORT FOR A NONPROFIT ORGANIZATION WITH AFFILIATES OR SUBSIDIARIES UNDER CERTAIN CIRCUMSTANCES, AND TO ESTABLISH CERTAIN RECORD KEEPING REQUIREMENTS; AND TO REPEAL SECTION 33-57-200 RELATING TO THE REPEAL OF CHAPTER 57, TITLE 33.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 4963 -- Reps. Tallon, Moore, Bernstein, Caskey, Clary, Davis, Elliott, King, Mace, Wheeler, Simrill, Rutherford, Bannister, Finlay, Bradley, Collins, Fry, Hyde, Murphy, W. Newton, Rose, Wooten, B. Newton, Sottile, Ridgeway, Ott, Hardee, Bailey, Herbkersman, Bamberg, Daning, Kirby, Atkinson, Felder, Hewitt, Martin, Oremus, Sandifer and Erickson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-360 SO AS TO PROVIDE THAT A PRODUCER OR WHOLESALER MAY FURNISH OR GIVE CERTAIN SAMPLES OF WINES TO A RETAILER NOT TO EXCEED THREE LITERS ANNUALLY; AND BY ADDING SECTION 61-6-1650 SO AS TO PROVIDE THAT A PRODUCER OR WHOLESALER MAY FURNISH OR GIVE CERTAIN SAMPLES OF WINES IN EXCESS OF SIXTEEN PERCENT ALCOHOL, CORDIALS, OR DISTILLED SPIRITS TO A RETAILER NOT TO EXCEED THREE LITERS ANNUALLY.

Read the first time and referred to the Committee on Judiciary.

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H. 5305 -- Reps. Norrell, B. Newton, Yow and Lucas: A BILL TO AMEND SECTION 7-7-350, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LANCASTER COUNTY, SO AS TO REVISE THE NAMES OF SEVEN PRECINCTS, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Read the first time and referred to the Committee on Judiciary.

H. 5361 -- Reps. Garvin, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, Matthews, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Oremus, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE LECIE SHELL WORTHY OF COLUMBIA ON THE OCCASION OF HER ONE HUNDRED AND THIRD BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.

The Concurrent Resolution was adopted, ordered returned to the House.

REPORTS OF STANDING COMMITTEES

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

S. 1068 -- Senator Campsen: A BILL TO AMEND SECTION 50-1-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CLASSIFICATION OF BIRDS, ANIMALS, AND FISH, SO AS TO CLASSIFY CERTAIN BIRDS AS

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MIGRATORY WATERFOWL; TO REPEAL SECTION 50-11-20 RELATING TO THE MIGRATORY WATERFOWL COMMITTEE; AND TO REPEAL SECTION 50-9-670 RELATING TO MIGRATORY WATERFOWL PERMITS.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Operations and Management polled out S. 1146 favorable:

S. 1146 -- Senators Peeler, Alexander, Scott and Verdin: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, APRIL 29, 2020, AS THE AS THE DATE AND TIME FOR THE SENATE AND THE HOUSE OF REPRESENTATIVES TO MEET IN JOINT SESSION IN THE HALL OF THE HOUSE OF REPRESENTATIVES TO ELECT SUCCESSOR MEMBERS OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE APPELLATE PANEL FOR SEATS 1, 2, AND 3, SO AS TO FILL THE TERMS THAT EXPIRE JUNE 30, 2020; TWO AT-LARGE MEMBERS TO THE BOARD OF VISITORS FOR THE CITADEL FOR TERMS TO EXPIRE JUNE 30, 2026; THREE AT-LARGE MEMBERS TO THE BOARD OF TRUSTEES FOR CLEMSON UNIVERSITY FOR TERMS TO EXPIRE JUNE 30, 2024; A MEMBER TO THE BOARD OF TRUSTEES FOR COASTAL CAROLINA UNIVERSITY, FIFTH CONGRESSIONAL DISTRICT, SEAT 5, WHOSE TERM WILL EXPIRE JUNE 30, 2023; A MEMBER OF THE BOARD OF TRUSTEES FOR THE COLLEGE OF CHARLESTON, FIRST CONGRESSIONAL DISTRICT, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2024, SECOND CONGRESSIONAL DISTRICT, SEAT 4, WHOSE TERM EXPIRES JUNE 30, 2024, THIRD CONGRESSIONAL DISTRICT, SEAT 6, WHOSE TERM EXPIRES JUNE 30, 2024, FOURTH CONGRESSIONAL DISTRICT, SEAT 8, WHOSE TERM EXPIRES JUNE 30, 2024, FIFTH CONGRESSIONAL DISTRICT, SEAT 10, WHOSE TERM EXPIRES JUNE 30, 2024, SIXTH CONGRESSIONAL DISTRICT, SEAT 12, WHOSE TERM EXPIRES JUNE 30, 2024, SEVENTH CONGRESSIONAL DISTRICT, SEAT 14, WHOSE TERM EXPIRES JUNE 30, 2024, AND AT-LARGE, SEAT 16, WHOSE TERM EXPIRES JUNE 30, 2024; A MEMBER OF THE BOARD OF TRUSTEES FOR FRANCIS MARION UNIVERSITY, SECOND CONGRESSIONAL DISTRICT, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2024, THIRD CONGRESSIONAL DISTRICT, SEAT 3, WHOSE TERM EXPIRES JUNE 30, 2024, FOURTH

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CONGRESSIONAL DISTRICT, SEAT 4, WHOSE TERM EXPIRES JUNE 30, 2024, SEVENTH CONGRESSIONAL DISTRICT, SEAT 7, WHOSE TERM EXPIRES JUNE 30, 2024, AT-LARGE, SEAT 13, WHOSE TERM EXPIRES JUNE 30, 2022, AND AT-LARGE, SEAT 9, SEAT 11, AND SEAT 15, WHOSE TERMS EXPIRE JUNE 30, 2024; A MEMBER OF THE BOARD OF TRUSTEES FOR LANDER UNIVERSITY, FIRST CONGRESSIONAL DISTRICT, WHOSE TERM EXPIRES JUNE 30, 2024, SECOND CONGRESSIONAL DISTRICT, WHOSE TERM EXPIRES JUNE 30, 2024, THIRD CONGRESSIONAL DISTRICT, WHOSE TERM EXPIRES JUNE 30, 2024, FOURTH CONGRESSIONAL DISTRICT, WHOSE TERM EXPIRES JUNE 30, 2024, FIFTH CONGRESSIONAL DISTRICT, WHOSE TERM EXPIRES JUNE 30, 2024, SIXTH CONGRESSIONAL DISTRICT, WHOSE TERM EXPIRES JUNE 30, 2024, AND SEVENTH CONGRESSIONAL DISTRICT, WHOSE TERM EXPIRES JUNE 30, 2024; A MEMBER OF THE BOARD OF TRUSTEES FOR THE MEDICAL UNIVERSITY OF SOUTH CAROLINA, FIRST CONGRESSIONAL DISTRICT, NONMEDICAL SEAT, WHOSE TERM EXPIRES JUNE 30, 2024, SECOND CONGRESSIONAL DISTRICT, NONMEDICAL SEAT, WHOSE TERM EXPIRES JUNE 30, 2024, THIRD CONGRESSIONAL DISTRICT, NONMEDICAL SEAT, WHOSE TERM EXPIRES JUNE 30, 2024, FOURTH CONGRESSIONAL DISTRICT, MEDICAL SEAT, WHOSE TERM EXPIRES JUNE 30, 2024, FIFTH CONGRESSIONAL DISTRICT, MEDICAL SEAT, WHOSE TERM EXPIRES JUNE 30, 2024, SIXTH CONGRESSIONAL DISTRICT, NONMEDICAL SEAT, WHOSE TERM EXPIRES JUNE 30, 2024, AND SEVENTH CONGRESSIONAL DISTRICT, MEDICAL SEAT, WHOSE TERM EXPIRES JUNE 30, 2024; A MEMBER OF THE BOARD OF TRUSTEES FOR SOUTH CAROLINA STATE UNIVERSITY, SECOND CONGRESSIONAL DISTRICT, SEAT, 2, WHOSE TERM EXPIRES JUNE 30, 2024, FOURTH CONGRESSIONAL DISTRICT, SEAT 4, WHOSE TERM EXPIRES JUNE 30, 2024, SIXTH CONGRESSIONAL DISTRICT, SEAT 6, WHOSE TERM EXPIRES JUNE 30, 2024, AT-LARGE, SEAT 8, WHOSE TERM EXPIRES JUNE 30, 2024, AND AT-LARGE, SEAT 12, WHOSE TERM EXPIRES JUNE 30, 2024; A MEMBER OF THE BOARD OF TRUSTEES FOR THE UNIVERSITY OF SOUTH CAROLINA, SECOND JUDICIAL CIRCUIT, WHOSE TERM EXPIRES JUNE 30, 2024, FOURTH JUDICIAL CIRCUIT, WHOSE TERM EXPIRES JUNE 30, 2024, SIXTH JUDICIAL CIRCUIT,

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WHOSE TERM EXPIRES JUNE 30, 2024, EIGHTH JUDICIAL CIRCUIT, WHOSE TERM EXPIRES JUNE 30, 2024, TENTH JUDICIAL CIRCUIT, WHOSE TERM EXPIRES JUNE 30, 2024, FOURTEENTH JUDICIAL CIRCUIT, WHOSE TERM EXPIRES JUNE 30, 2024, FIFTEENTH JUDICIAL CIRCUIT, WHOSE TERM EXPIRES JUNE 30, 2024, AND SIXTEENTH JUDICIAL CIRCUIT, WHOSE TERM EXPIRES JUNE 30, 2024; A MEMBER OF THE BOARD OF TRUSTEES FOR WINTHROP UNIVERSITY, SECOND CONGRESSIONAL DISTRICT, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2026, SIXTH CONGRESSIONAL DISTRICT, SEAT 6, WHOSE TERM EXPIRES JUNE, 2026, AND AT-LARGE, SEAT 9, WHOSE TERM EXPIRES JUNE 30, 2026; AND THREE AT-LARGE MEMBERS TO THE BOARD OF TRUSTEES OF THE WIL LOU GRAY OPPORTUNITY SCHOOL, WHOSE TERMS EXPIRE JUNE 30, 2024.

**Poll of the Operations and Management Committee
Polled 9; Ayes 9; Nays**

AYES

Peeler	Leatherman	Setzler
Reese	Rankin	Malloy
Massey	Shealy	Turner

Total--9

NAYS

Total--0

Ordered for consideration tomorrow.

Adopted

Senator ALEXANDER asked unanimous consent to make a motion to take the Concurrent Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Concurrent Resolution. The question then was the adoption of the Concurrent Resolution.

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On motion of Senator ALEXANDER the Concurrent Resolution was adopted and ordered sent to the House.

REPORT FROM THE FINANCE COMMITTEE

Senator LEATHERMAN from the Committee on Finance submitted the following report:

Report of the Senate Finance Committee Pursuant to Section 9 (B) of Act 95 of 2019 (R113, H4287)

Act 95 of 2019 is a joint resolution establishing a process for the consideration of a sale, a management agreement and reform of the South Carolina Public Service Authority, commonly referred to as Santee Cooper. Section 9 (B) of that resolution states the following:

The department shall present to the Chairman of the Senate Finance Committee and the Chairman of the House of Representatives Ways and Means Committee the documents described in (A). The Finance Committee and the Ways and Means Committee shall each meet as soon as practicable to review each recommendation presented by the department. Each committee shall make a recommendation within thirty days of receipt of the recommendations presented by the department. However, nothing in this joint resolution shall be construed as a waiver of any House or Senate Rules. Upon receipt of the recommendation from their respective committees, the President of the Senate and the Speaker of the House shall convene their respective bodies to consider any legislation to effectuate the sale or management proposal or to implement reform, restructuring, and changes in operation at Santee Cooper. Such legislation shall be in the form of a resolution approving the contract for sale or management or a bill to implement reform at Santee Cooper.

As prescribed in the Act 95 process, the Senate Finance Committee received the report from the Department of Administration on February 11, 2020.

REVIEW OF DEPARTMENT OF ADMINISTRATION'S RECOMMENDATIONS

As directed in Act 95, the Senate Finance Committee reviewed each recommendation presented by the Department. The following meetings were held to receive information and testimony:

Thursday, February 13, 2010 - Joint meeting with the House Ways and Means Committee to receive a presentation by the Department of

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Administration and Experts retained by the Department. The following professional staff presented a summary of findings to the Committees:

Department of Administration - Marcia Adams (Director), Paul Koch (Chief of Staff), David Avant (Legal Counsel).

Gibson, Dunn & Crutcher LLP - Legal Advisor - Gerald "Jerry" Farano, Melissa Persons

Moelis & Company - Lead Financial Advisor - John Colella and Nathan Barnes

Energy and Environmental Economics, Inc. (E3) - Market Advisor - Nathan "Nate" Miller

Tuesday, February 18, 2020 - Committee meeting to receive detailed testimony from the same professional experts who presented the Department of Administration Report at the February 13 meeting.

Wednesday, February 19, 2020 - Committee meeting to receive testimony from Mr. James L. Robo, Chairman and Chief Executive Officer of NextEra Energy, Inc., the private company recommended by the Department of Administration as the prospective purchaser of Santee Cooper.

Thursday, February 20, 2020 - Committee meeting to receive testimony from Mr. P. Rodney Blevins, President of Dominion Energy South Carolina and Mr. Kellar Kissam, President of Electric Operations at Dominion Energy South Carolina, the private company recommended by the Department of Administration as the prospective private company to provide management services to Santee Cooper.

Tuesday, February 25, 2020 - Committee meeting to receive testimony from the following officials of Santee Cooper who explained their proposal for reform of the organization:

Mr. Mark Bonsall, President and Chief Executive Officer of Santee Cooper

Mr. Charlie Duckworth, Deputy CEO and Chief of Planning of Santee Cooper

Ms. Pamela Williams, Deputy Vice President and Chief Financial Officer of Santee Cooper

Mr. Mike Baxley, Chief Legal Counsel of Santee Cooper

Mr. Dan Ray, Acting Chairman, Santee Cooper Board of Directors

Wednesday, February 26, 2020 - Committee meeting to receive testimony from Mr. Mark Bonsall, President and Chief Executive Officer of Santee Cooper and Mr. Duckworth, Ms. Williams, Mr. Baxley and Mr. Ray related to their proposal for reform of the organization.

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Tuesday, March 3, 2020 - Committee meeting to receive testimony from Mr. Mark Bonsall, President and Chief Executive Officer of Santee Cooper Cooper and Mr. Duckworth, Ms. Williams, Mr. Baxley, and Mr. Ray related to their proposal for reform of the organization.

Thursday, March 5, 2020 - Committee meeting to receive testimony from Mr. Mike Couick, Chief Executive officer of the Electric Cooperatives of South Carolina, Mr. Rob Hochseteler, President and Chief Executive Officer of Central Electric Cooperative and Mr. John Tiencken, General Counsel of Central Electric Cooperative.

FINANCE COMMITTEE RECOMMENDATION

Upon completion of testimony on March 5, 2020, a motion was adopted by a vote of 17 - 0 to recommend to the Senate that all three options presented to the Finance Committee by the Department of Administration be rejected.

Message from the House

Columbia, S.C., March 10, 2020

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 635 -- Senator Young: A BILL TO AMEND CHAPTER 3, TITLE 56 OF THE 1976 CODE, RELATING TO MOTOR VEHICLE REGISTRATION AND LICENSING, BY ADDING ARTICLE 147, TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "DRIVERS FOR A CURE" SPECIAL LICENSE PLATES.

Very respectfully,

Speaker of the House

Received as information.

HOUSE CONCURRENCES

S. 1145 -- Senator Verdin: A CONCURRENT RESOLUTION TO CONGRATULATE JOE CARTER UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED PUBLIC SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS TO COME.

Returned with concurrence.

Received as information.

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S. 1151 -- Senator Goldfinch: A CONCURRENT RESOLUTION TO CONGRATULATE BRIGADIER GENERAL RALPH DOUGLAS "DOUG" GARDNER, RETIRED, ON THE OCCASION OF HIS EIGHTIETH BIRTHDAY AND TO WISH HIM A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

THIRD READING BILL

S. 994 -- Senators Malloy and McElveen: A BILL TO PROVIDE THAT EACH MEMBER OF THE LEE COUNTY TRANSPORTATION COMMITTEE SHALL BE ALLOWED AND PAID ONE HUNDRED DOLLARS FROM LEE COUNTY "C" FUND REVENUES FOR EACH MEETING AT WHICH HE IS IN ATTENDANCE, TO PROVIDE THAT THE MEMBERS OF THE LEE COUNTY TRANSPORTATION COMMITTEE SHALL RECEIVE PAYMENTS UPON THE ISSUANCE OF APPROVED VOUCHERS BY THE COMMITTEE 'S CHAIRMAN, EXCEPT THAT THE CHAIRMAN MAY NOT APPROVE VOUCHERS FOR MORE THAN FIFTEEN MEETINGS PER FISCAL YEAR FOR EACH MEMBER OF THE COMMITTEE, AND TO PROVIDE THAT THE CHAIRMAN OF THE LEE COUNTY LEGISLATIVE DELEGATION SHALL BE AN EX-OFFICIO, NONVOTING MEMBER OF THE LEE COUNTY TRANSPORTATION COMMITTEE.

On motion of Senator MALLOY.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments.

H. 3998 -- Reps. Bannister, Bernstein, Crawford, Pendarvis, Garvin, Herbkersman, Hosey, Alexander, Bales, Stavrinakis, Cogswell, Whitmire, Norrell, Cobb-Hunter, Dillard, Elliott, Moore, Mack, Rutherford, Govan, Bennett, Clemmons, Funderburk, Hayes, McDaniel, Ridgeway, G.M. Smith, G.R. Smith, Sottile, Weeks, Wheeler, S. Williams, Davis, Rivers, Brown, Jefferson, R. Williams, Henderson-Myers, Matthews and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE

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“WORKFORCE AND SENIOR AFFORDABLE HOUSING ACT” BY
ADDING SECTION 12-6-3795 SO AS TO ALLOW A TAXPAYER
ELIGIBLE FOR A FEDERAL LOW-INCOME HOUSING TAX
CREDIT TO CLAIM A LOW-INCOME STATE TAX CREDIT.

The Senate proceeded to the consideration of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill was read the third time,
passed and ordered returned to the House of Representatives with
amendments.

HOUSE BILL RETURNED

The following Bills were read the third time and ordered returned to
the House with amendments.

H. 3485 -- Reps. Jefferson, R. Williams, Cobb-Hunter and Weeks: A
BILL TO AMEND SECTION 12-6-3535, CODE OF LAWS OF

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SOUTH CAROLINA, 1976, RELATING TO AN INCOME TAX CREDIT FOR MAKING QUALIFIED REHABILITATION EXPENDITURES FOR A CERTIFIED HISTORIC STRUCTURE, SO AS TO REMOVE A PROVISION ALLOWING THE DEPARTMENT OF ARCHIVES AND HISTORY TO ESTABLISH FEES, TO PROVIDE THAT A TAXPAYER CLAIMING THE CREDIT MUST PAY A FEE TO THE DEPARTMENT OF ARCHIVES AND HISTORY FOR THE STATE HISTORIC PRESERVATION GRANT FUND, AND TO PROVIDE THAT THE DEPARTMENT SHALL DEVELOP AN APPLICATION PROCESS; AND TO AMEND SECTION 12-6-5060, RELATING TO VOLUNTARY CONTRIBUTIONS MADE BY AN INDIVIDUAL BY MEANS OF THE INCOME TAX RETURN CHECK OFF, SO AS TO ADD THE DEPARTMENT OF ARCHIVES AND HISTORY.

H. 3967 -- Reps. Mace, Trantham, Kimmons, Crawford, Henderson-Myers, Bernstein, McCoy, Fry, Magnuson, Allison, Henegan, Thayer, Cobb-Hunter, King, Brawley, Dillard, Davis, Hewitt, Spires, Collins, Sottile, Daning, Cogswell, Taylor, Atkinson, Ballentine, Bannister, Bennett, Clary, Elliott, Huggins, Long, McDaniel, McKnight, Pendarvis, Rutherford, Matthews, G.R. Smith, Garvin, Rose, B. Cox, Caskey, Moore and Hill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24-13-35 SO AS TO PROVIDE METHODS OF RESTRAINING INMATES WITH A CLINICAL DIAGNOSIS OF PREGNANCY OR IN POSTPARTUM RECUPERATION.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 754 -- Senators Hembree, Nicholson and Peeler: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-49-35 SO AS TO REQUIRE CERTAIN TRAINING OF THE BOARD OF TRUSTEES OF THE JOHN DE LA HOWE SCHOOL; BY ADDING SECTION 59-49-85 SO AS TO PROVIDE QUALIFICATIONS OF THE SCHOOL'S FACULTY; BY ADDING SECTION 59-49-112 SO AS TO PROVIDE THE BOARD SHALL ESTABLISH THE STANDARD COURSE OF STUDY OF THE SCHOOL; BY ADDING SECTION 59-49-115 SO AS TO PROVIDE FOR THE AWARDED OF DIPLOMAS; BY ADDING

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SECTION 59-49-117 SO AS TO PROVIDE ADMISSIONS REQUIREMENTS OF STUDENTS; BY ADDING SECTION 59-49-135 SO AS TO PROVIDE THE BOARD SHALL ESTABLISH A FOUNDATION AND MAINTAIN AN ENDOWMENT FUND FOR THE SCHOOL; BY ADDING SECTION 59-49-160 SO AS TO PROVIDE THE BOARD MAY EMPLOY CAMPUS POLICE, TO PROVIDE QUALIFICATIONS AND OTHER REQUIREMENTS OF THESE CAMPUS POLICE, TO PROVIDE FOR THE APPLICABILITY OF CERTAIN MOTOR VEHICLE LAWS ON CAMPUS, AND TO PROVIDE THE BOARD MAY PROMULGATE CERTAIN RELATED REGULATIONS; TO AMEND SECTION 59-49-10, RELATING TO THE ESTABLISHMENT OF THE JOHN DE LA HOWE SCHOOL, SO AS TO RENAME AND REESTABLISH THE SCHOOL AS THE GOVERNOR'S SCHOOL FOR AGRICULTURE AT JOHN DE LA HOWE, AND TO PROVIDE THE PURPOSE OF THE SCHOOL; TO AMEND SECTION 59-49-20, RELATING TO THE BOARD OF TRUSTEES, SO AS TO ADD CERTAIN EX OFFICIO MEMBERS; TO AMEND SECTION 59-49-30, RELATING TO REMOVAL OF BOARD MEMBERS BY THE GOVERNOR FOR CAUSE, SO AS TO MAKE GRAMMATICAL CHANGES; TO AMEND SECTION 59-49-40, RELATING TO MEETINGS OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; TO AMEND SECTION 59-49-70, RELATING TO THE DECLARATION OF THE SCHOOL AS A BODY POLITIC, SO AS TO MAKE CONFORMING CHANGES CONCERNING THE RENAMING OF THE SCHOOL; TO AMEND SECTION 59-49-100, RELATING TO THE PURPOSE OF THE SCHOOL, SO AS TO PROVIDE ADDITIONAL ADMISSIONS CRITERIA; TO AMEND SECTION 59-49-110, RELATING TO THE CONDUCT OF FORESTRY AND FARM PRACTICES BY THE SCHOOL AND USE OF REVENUE DERIVED FROM THESE PRACTICES, SO AS TO PROVIDE THE SCHOOL SHALL SERVE AS A DEMONSTRATION FARM AND PROVIDE INSTRUCTION AND SUPPORT TO FARMERS AND PERSONS WORKING IN, OR WHO HAVE AN INTEREST IN, THE BUSINESS OF AGRICULTURE; TO AMEND SECTION 59-49-130, RELATING TO OBSOLETE PROVISIONS CONCERNING THE USE OF INCOME DERIVED FROM CERTAIN ENDEAVORS, SO AS TO PROVIDE FOR THE USE OF INCOME DERIVED FROM CERTAIN CURRENT ENDEAVORS OF THE SCHOOL; AND TO AMEND SECTION 59-49-150, RELATING TO EXPENSES OF STUDENTS, SO AS TO

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PROVIDE STUDENTS WHO ARE LEGAL RESIDENTS OF THIS STATE ARE NOT REQUIRED TO PAY TUITION BUT SHALL PAY CERTAIN FEES FOR MAINTENANCE AND FOOD SERVICES UNLESS THEY MEET CERTAIN POVERTY REQUIREMENTS, AND TO PROVIDE ALL OUT-OF-STATE AND FOREIGN EXCHANGE STUDENTS WHO ATTEND THE SCHOOL SHALL PAY TUITION AND CERTAIN FEES FOR MAINTENANCE AND FOOD SERVICES.

S. 909 -- Senators Gambrell and Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-10-108 SO AS TO PROVIDE CIRCUMSTANCES IN WHICH PROFESSIONAL EMPLOYER ORGANIZATIONS MAY BE ELIGIBLE FOR CERTAIN TAX CREDITS AND ECONOMIC INCENTIVES UNDER THE ENTERPRISE ZONE ACT OF 1995; BY ADDING SECTION 40-68-145 SO AS TO PROVIDE FOR THE DETERMINATION OF TAX CREDITS AND ECONOMIC INCENTIVES BASED ON EMPLOYMENT WITH RESPECT TO CLIENT COMPANIES OF PROFESSIONAL EMPLOYER ORGANIZATIONS; TO AMEND SECTION 40-68-55, RELATING TO THE ABILITY OF THE DEPARTMENT OF INSURANCE TO REGULATE THE ACCEPTANCE OF AFFIDAVIT OR CERTIFICATION OF APPROVAL OF QUALIFIED ASSURANCE ORGANIZATIONS, SO AS TO DELETE THE REQUIREMENT THAT THESE FUNCTIONS BE PROVIDED BY REGULATION; TO AMEND SECTION 40-68-60, RELATING TO THE REQUIREMENTS OF PROFESSIONAL EMPLOYMENT ORGANIZATION SERVICES AGREEMENTS BETWEEN PROFESSIONAL EMPLOYER ORGANIZATIONS AND ASSIGNED EMPLOYEES, SO AS TO PROVIDE ORGANIZATIONS SHALL PROVIDE ASSIGNED EMPLOYEES WITH CERTAIN WRITTEN NOTICE OF HOW THE AGREEMENT AFFECTS THEM; TO AMEND SECTION 40-68-70, RELATING TO THE REQUIREMENTS OF PROFESSIONAL EMPLOYMENT ORGANIZATION SERVICES AGREEMENTS BETWEEN PROFESSIONAL EMPLOYER ORGANIZATIONS AND CLIENT COMPANIES, SO AS TO PROVIDE THAT THE TERMS OF THE AGREEMENT MUST BE ESTABLISHED BY WRITTEN CONTRACT; AND TO AMEND SECTION 40-68-150, RELATING TO CERTAIN PROHIBITED ACTS, SO AS TO PROVIDE PROFESSIONAL EMPLOYER ORGANIZATIONS SHALL NOT

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ENGAGE IN THE SALE OF INSURANCE OR ACT AS THIRD PARTY ADMINISTRATORS, AND TO PROVIDE THAT THE SPONSORING AND MAINTAINING OF EMPLOYEE BENEFIT PLANS FOR THE BENEFIT OF ASSIGNED EMPLOYEES DOES NOT CONSTITUTE THE SALE OF INSURANCE.

S. 866 -- Senator Campsen: A BILL TO AMEND SECTION 5-15-130, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROCEDURES FOR CONTESTING THE RESULTS OF MUNICIPAL ELECTIONS, SO AS TO ALLOW THE COUNTY BOARDS OF VOTER REGISTRATION AND ELECTIONS TO SERVE AS APPROPRIATE ELECTION AUTHORITIES FOR PURPOSES OF INITIATING OR HEARING MUNICIPAL ELECTION CONTESTS; AND TO AMEND SECTION 5-15-145, RELATING TO THE TRANSFER OF AUTHORITY TO CONDUCT MUNICIPAL ELECTIONS TO COUNTY ELECTION COMMISSIONS, SO AS TO UPDATE REFERENCES TO COUNTY BOARDS OF VOTER REGISTRATION AND ELECTIONS.

S. 1026 -- Senator Grooms: A BILL TO AMEND SECTION 56-3-190 OF THE 1976 CODE, RELATING TO THE REGISTRATION AND LICENSURE OF VEHICLES BY THE DEPARTMENT OF MOTOR VEHICLES, TO PROVIDE THAT IF A COMMERCIAL MOTOR VEHICLE IS REGISTERED THROUGH THE INTERNATIONAL REGISTRATION PLAN AND IS OPERATED UNDER A UNITED STATES DEPARTMENT OF TRANSPORTATION (USDOT) NUMBER ASSIGNED TO A PERSON OTHER THAN THE VEHICLE'S OWNER, THEN THE PERSON TO WHOM THE USDOT NUMBER IS ASSIGNED MAY REGISTER THE COMMERCIAL MOTOR VEHICLE BY SUBMITTING THE APPROPRIATE APPLICATION AND FEES TO THE DEPARTMENT OF MOTOR VEHICLES.

S. 882 -- Senators Cromer and Bennett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA PRIVATE FLOOD INSURANCE ACT" BY ADDING CHAPTER 101 TO TITLE 38 SO AS TO ADVANCE DIFFERENT FLOOD INSURANCE COVERAGES FOR THE BENEFIT OF CONSUMERS AND INSURERS.

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S. 690 -- Senators Campsen, Senn, Davis and Campbell: A BILL TO AMEND SECTION 48-22-40 OF THE 1976 CODE, RELATING TO THE DUTIES OF THE SOUTH CAROLINA GEOLOGICAL SURVEY UNIT OF THE DEPARTMENT OF NATURAL RESOURCES, TO AUTHORIZE THE DIVISION TO CONDUCT TOPOGRAPHIC MAPPING USING LIGHT DETECTION AND RANGING (LiDAR) DATA COLLECTIONS TO ENSURE COMPLIANCE WITH CERTAIN FEDERAL EMERGENCY MANAGEMENT AGENCY STANDARDS, TO REQUIRE THE DIVISION TO PROVIDE THIS INFORMATION TO THE SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES FLOOD MITIGATION PROGRAM, AND TO REQUIRE THAT THE TOPOGRAPHIC MAPS BE MADE AVAILABLE TO THE PUBLIC ON THE DEPARTMENT OF NATURAL RESOURCES' WEBSITE.

S. 868 -- Senators Campsen and Campbell: A BILL TO AMEND SECTION 48-39-280, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE'S BEACH PRESERVATION POLICY, SO AS TO APPLY CERTAIN EXCEPTIONS TO THE ESTABLISHMENT OF A BASELINE FOR COASTAL EROSION ZONES AND TO REMOVE THE STUDY REQUIREMENT IN CASES WHERE PRIMARY OCEANFRONT SAND DUNES DO NOT EXIST.

AMENDED, OBJECTION

S. 9 -- Senators Peeler, Johnson, Rice, Gregory, Turner, Bennett, Climer, Grooms and Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-1885 SO AS TO PROVIDE THE CIRCUMSTANCES WHEN IT IS LAWFUL TO DRIVE A VEHICLE IN THE LEFT LANE OF AN INTERSTATE HIGHWAY, AND TO PROVIDE THE CIRCUMSTANCES UNDER WHICH A TRAFFIC TICKET MAY BE ISSUED FOR THE VIOLATION OF THIS PROVISION.

The Senate proceeded to the consideration of the Bill.

Senator GROOMS explained the Bill.

Senator MALLOY proposed the following amendment (9R001.SP.GM), which was adopted:

Amend the bill, as and if amended, by adding an appropriately lettered subsection to read:

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/() Violations of this Section are subject to a twenty five dollar penalty.” /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

Senator SENN objected to further consideration of the Bill.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 545 -- Senator Alexander: A BILL TO AMEND SECTION 12-43-335(A) OF THE 1976 CODE, RELATING TO ASSESSING THE PROPERTY OF MERCHANTS AND OTHER RELATED BUSINESSES, TO REQUIRE THE DEPARTMENT OF REVENUE TO FOLLOW CERTAIN NORTH AMERICAN CLASSIFICATION SYSTEM MANUAL PROVISIONS; AND TO REPEAL SECTION 12-39-70 OF THE 1976 CODE, RELATING TO APPRAISING AND ASSESSING THE PERSONAL PROPERTY OF BUSINESSES UNDER THE JURISDICTION OF THE COUNTY AUDITOR.

S. 865 -- Senators Jackson, Hutto and Shealy: A BILL TO AMEND SECTION 63-1-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOINT CITIZENS AND LEGISLATIVE COMMITTEE ON CHILDREN, SO AS TO REAUTHORIZE THE COMMITTEE THROUGH DECEMBER 31, 2030.

S. 892 -- Senators Shealy, Hutto, Jackson and Campbell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “SOUTH CAROLINA CHILD ABUSE RESPONSE PROTOCOL ACT” BY ADDING ARTICLE 24 TO CHAPTER 11, TITLE 63 SO AS TO REQUIRE MULTIDISCIPLINARY TEAMS INVOLVED IN CHILD ABUSE INVESTIGATION AND PROSECUTION TO FOLLOW CERTAIN CHILD ABUSE RESPONSE PROTOCOL, TO PROVIDE FOR THE ESTABLISHMENT OF AN ADVISORY COMMITTEE TO REVIEW

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AND UPDATE THE PROTOCOL, AND FOR OTHER PURPOSES;
AND TO AMEND SECTION 63-11-310, RELATING TO
CHILDREN'S ADVOCACY CENTERS, SO AS TO REQUIRE
CHILDREN'S ADVOCACY CENTERS TO HOLD CERTAIN
ACCREDITATION STATUS OR BE ACTIVELY PURSUING
ACCREDITATION, AND FOR OTHER PURPOSES.

S. 1017 -- Senators Shealy and Alexander: A BILL TO AMEND
SECTION 43-26-90 OF THE 1976 CODE, RELATING TO
BUILDINGS NOT SUBJECT TO CERTAIN PROVISIONS
CONCERNING THE OPERATION OF VENDING FACILITIES BY
BLIND PERSONS, TO INCLUDE LOCAL DETENTION
FACILITIES.

S. 1027 -- Senator Alexander: A BILL TO AMEND SECTION 43-
25-10 OF THE 1976 CODE, RELATING TO THE COMMISSION
FOR THE BLIND, TO PROVIDE THAT MEETINGS SHALL BE
HELD AT LEAST ONCE A QUARTER.

S. 758 -- Senator Gregory: A BILL TO AMEND SECTION 40-6-
240(B) OF THE 1976 CODE, RELATING TO CONTINUING
EDUCATION REQUIREMENTS FOR LICENSED AUCTIONEERS,
TO PROVIDE THAT A LICENSEE WHO IS SIXTY-FIVE YEARS
OLD OR OLDER WITH TWENTY-FIVE YEARS OF LICENSURE
MAY APPLY FOR A CONTINUING EDUCATION WAIVER.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the
House of Representatives:

S. 954 -- Senators Scott and Setzler: A BILL TO AMEND ACT 189
OF 2018, RELATING TO THE DISPOSAL OF SURPLUS
PROPERTY BY THE MIDLANDS TECHNICAL COLLEGE
ENTERPRISE CAMPUS AUTHORITY, SO AS TO PERMANENTLY
AUTHORIZE THE ACT AND TO REPEAL THE SUNSET
PROVISION.

The Senate proceeded to the consideration of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

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Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The Bill was read the third time, passed and ordered sent to the House of Representatives.

ORDERED ENROLLED FOR RATIFICATION

The following Bills were read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 4246 -- Reps. Sandifer and Thayer: A BILL TO AMEND ACT 60 OF 2017, RELATING TO CRIMINAL BACKGROUND CHECKS BY THE REAL ESTATE COMMISSION, SO AS TO CHANGE THE TIME EFFECTIVE DATE TO JULY 1, 2020.

H. 4811 -- Reps. Bailey, Hewitt, Hardee, Clemmons, Forrest, Hixon and Ligon: A BILL TO AMEND SECTION 48-39-290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION ON EROSION CONTROL STRUCTURES OR DEVICES SEAWARD OF THE SETBACK LINE, SO AS TO ALLOW FOR THE PLACEMENT OF SHORELINE PERPENDICULAR

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WINGWALLS THAT EXTEND LANDWARD FROM THE ENDS OF EXISTING EROSION CONTROL STRUCTURES OR DEVICES.

H. 3695 -- Reps. Calhoon, Huggins, Taylor, Allison, Ballentine, Forrest, Matthews, Spires, Toole, Wooten, Hill and Jones: A BILL TO AMEND SECTION 56-3-630, CODE OF LAWS OF SOUTH CAROLINA, 1976. RELATING TO VEHICLES CLASSIFIED AS PRIVATE PASSENGER MOTOR VEHICLES, SO AS TO PROVIDE THAT FOR THE SOLE PURPOSE OF DETERMINING HIGH MILEAGE TAX DEDUCTIONS, MOTORCYCLES AND MOTORCYCLE THREE-WHEEL VEHICLES SHALL BE CLASSIFIED AS PRIVATE PASSENGER MOTOR VEHICLES.

H. 4439 -- Reps. Clemmons, Bryant, Hosey, R. Williams, Blackwell, Clary and Rivers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-250 SO AS TO DESIGNATE THE SIXTEENTH DAY OF JULY OF EACH YEAR AS "ATOMIC VETERANS DAY" IN SOUTH CAROLINA.

H. 4702 -- Reps. Huggins, Martin, Wooten, Caskey, Calhoon, Forrest, Howard and Brawley: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 55-11-440 SO AS TO PROVIDE THE RICHLAND-LEXINGTON AIRPORT COMMISSION MAY MAKE APPLICATION FOR THE PURPOSE OF ESTABLISHING AND MAINTAINING FOREIGN-TRADE ZONES IN CERTAIN COUNTIES, SELECT AND DESCRIBE THE LOCATION OF THE ZONES FOR WHICH APPLICATION MAY BE MADE, PROMULGATE CERTAIN REGULATIONS, OWN, ERECT, MAINTAIN, AND OPERATE BUILDINGS IN A FOREIGN-TRADE ZONE, AND DO ALL THINGS NECESSARY AND PROPER TO ACHIEVE COMPLIANCE WITH THE FOREIGN-TRADE ZONES ACT.

H. 4743 -- Reps. Fry and Hewitt: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-3-312 SO AS TO ALTER THE COUNTY LINES OF HORRY AND GEORGETOWN COUNTIES BY ANNEXING A CERTAIN PORTION OF GEORGETOWN TO HORRY COUNTY AND TO MAKE PROVISIONS FOR LEGAL RECORDS.

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**COMMITTEE AMENDMENT ADOPTED
AMENDED, CARRIED OVER**

S. 481 -- Senator Alexander: A BILL TO AMEND SECTION 23-9-10 OF THE 1976 CODE, RELATING TO THE TRANSFER OF THE DIVISION OF THE STATE FIRE MARSHAL TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION AND THE STATE FIRE MARSHAL'S DUTIES AND RESPONSIBILITIES, TO DELETE CERTAIN OBSOLETE LANGUAGE, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THE DIVISION OF FIRE AND LIFE SAFETY'S PROGRAM AREAS; TO AMEND SECTION 23-9-20 OF THE 1976 CODE, RELATING TO THE DUTIES OF THE STATE FIRE MARSHAL, TO REVISE HIS DUTIES AND RESPONSIBILITIES; TO AMEND SECTION 23-9-25(F)(2) AND (5) OF THE 1976 CODE, RELATING TO THE VOLUNTEER STRATEGIC ASSISTANCE AND FIRE EQUIPMENT PROGRAM, TO REVISE GRANT APPLICATION AND FUNDING PROCEDURES; TO AMEND SECTION 23-9-30 OF THE 1976 CODE, RELATING TO RESIDENT FIRE MARSHALS, TO REVISE THEIR DUTIES AND WHO MAY EXERCISE THESE DUTIES AND TO PROVIDE THAT THE STATE FIRE MARSHAL MAY PROMULGATE REGULATIONS REGARDING A FIRE MARSHAL'S TRAINING AND CERTIFICATION; TO AMEND SECTION 23-9-45 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF A CLASS D FIRE EQUIPMENT DEALER LICENSE OR A FIRE EQUIPMENT PERMIT, TO PROVIDE FOR THE ISSUANCE OF ADDITIONAL CLASSES OF LICENSES AND QUALIFICATIONS TO OBTAIN THESE LICENSES; TO AMEND SECTION 23-9-50 OF THE 1976 CODE, RELATING TO THE STATE FIRE MARSHAL'S AUTHORITY TO INSPECT CERTAIN BUILDINGS AND PREMISES, TO REVISE THE CIRCUMSTANCES UPON WHICH HE MAY ENTER A BUILDING OR PREMISES; TO AMEND CHAPTER 10, TITLE 23 OF THE 1976 CODE, RELATING TO THE "SOUTH CAROLINA FIRE ACADEMY", TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 23-49-120(B) OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA FORESTRY COMMISSION'S ACCEPTANCE OF DONATIONS OF FIRE EQUIPMENT, TO PROVIDE THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, DIVISION OF FIRE AND LIFE SAFETY ALSO MAY ACCEPT DONATIONS OF FIRE EQUIPMENT; TO AMEND SECTION 40-80-30(D) OF THE 1976

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CODE, RELATING TO A FIREFIGHTER REGISTERING WITH THE STATE FIRE MARSHAL, TO REVISE THE COST AND PROCESS OF OBTAINING CERTAIN INDIVIDUAL FIGHTER RECORDS; AND TO REPEAL SECTIONS 23-9-35, 23-9-40, 23-9-60, 23-9-110, AND 23-9-130 OF THE 1976 CODE, ALL RELATING TO DUTIES OF THE STATE FIRE MARSHAL.

The Senate proceeded to the consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (481R001.KMM.TCA), which was adopted:

Amend the bill, as and if amended, page 3, by striking lines 40 through 43 and inserting:

/and the promulgation of regulations, not to include the sale or storage of fireworks as regulated by the State Board of Pyrotechnic Safety, for:

(a) explosives in accordance with Chapter 36, Title 23;

(b) pyrotechnic displays and shooters; /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the committee amendment.

The amendment was adopted.

Senator CLIMER proposed the following amendment (481R004.KMM.WC), which was withdrawn:

Amend the bill, as and if amended, page 3, by striking lines 38 through 40 and inserting:

/ (4) implementation of licensing, permitting, and certification programs based upon nationally recognized codes and standards, and the promulgation of regulations, not to include the manufacture, sale, or storage of fireworks as regulated by the State Board of Pyrotechnic Safety in accordance with Chapter 56, Title 50, for: /

Renumber sections to conform.

Amend title to conform.

The amendment was withdrawn.

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Senators ALEXANDER and JACKSON proposed the following amendment (481R005.KD.TCA), which was adopted:

Amend the bill, as and if amended, page 8, line 13, by adding an appropriately numbered new SECTION to read:

/SECTION __. Article 1, Chapter 9, Title 23 of the 1976 Code is amended by adding:

“Section 23-9-125. Nothing in this chapter may be construed to limit the authority of the State Board of Pyrotechnic Safety or the regulation of fireworks, pursuant to Chapter 56, Title 40.” /

Renumber sections to conform.

Amend title to conform.

Senator ALEXANDER explained the amendment.

The amendment was adopted.

Senator CORBIN proposed the following amendment (481R003.KMM.TDC), which was adopted:

Amend the bill, as and if amended, page 7, by striking lines 40-42, and page 8, by striking lines 1-4 and inserting:

/ (1) there is probable cause to believe that a violation of the provisions respecting fire laws exists;

(2) that there exists imminent danger to the occupants thereof or arson; or /

(3) a fatality or serious injury has occurred as a result of fire, explosion, or arson. /

Renumber sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

The amendment was adopted.

On motion of Senator HUTTO, the Bill was carried over.

RECOMMITTED

H. 3784 -- Rep. Herbkersman: A BILL TO AMEND SECTION 7-7-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN BEAUFORT COUNTY, SO AS TO ADD THE NEW RIVER, PALMETTO BLUFF, AND SANDY POINTE VOTING PRECINCTS,

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TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE, AND TO CORRECT AN OUTDATED REFERENCE TO THE FORMER OFFICE OF RESEARCH AND STATISTICS.

On motion of Senator M.B. MATTHEWS, the Bill was recommitted to Committee on Judiciary.

RECOMMITTED

H. 4384 -- Reps. Herbkersman and W. Newton: A BILL TO AMEND SECTION 7-7-330, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN JASPER COUNTY, SO AS TO ADD TWO PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

On motion of Senator M.B. MATTHEWS, the Bill was recommitted to Committee on Judiciary.

OBJECTION

H. 3307 -- Reps. Clemmons, Fry, Crawford, Allison, Yow, Daning, Elliott, Hewitt, G.R. Smith, Hixon, Taylor, Magnuson, Gagnon, Johnson, Clary, Pendarvis, McKnight, Rose, Cogswell, Cobb-Hunter, B. Newton, Mace, Caskey, Moore, Gilliard, Blackwell, Govan and Henderson-Myers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 17 TO CHAPTER 3, TITLE 23 SO AS TO PROVIDE THAT THE STATE LAW ENFORCEMENT DIVISION SHALL ESTABLISH AND MAINTAIN A CASE TRACKING SYSTEM AND SEARCHABLE WEBSITE THAT INCLUDES CERTAIN INFORMATION ABOUT PROPERTY SEIZED BY LAW ENFORCEMENT AGENCIES AND FORFEITED UNDER STATE LAW OR UNDER ANY AGREEMENT WITH THE FEDERAL GOVERNMENT.

Senators HEMBREE and HARPOOTLIAN objected to consideration of the Bill.

CARRIED OVER

S. 461 -- Senators Sheheen, Gambrell, Alexander, Cash and Senn: A BILL TO AMEND SECTION 12-6-1140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEDUCTIONS FROM THE INDIVIDUAL INCOME TAX, SO AS TO

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INCREASE THE DEDUCTION FOR CERTAIN FIREFIGHTERS, LAW ENFORCEMENT OFFICIALS, AND MEMBERS OF THE STATE GUARD FROM THREE THOUSAND DOLLARS TO SIX THOUSAND DOLLARS.

On motion of Senator MASSEY, the Bill was carried over.

CARRIED OVER

H. 3200 -- Reps. Henderson-Myers, Allison, Bernstein, Govan, Ridgeway, Clyburn, Brawley, McDaniel, Cogswell, Caskey, Norrell and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA LACTATION SUPPORT ACT" BY ADDING SECTION 41-1-130 SO AS TO DEFINE NECESSARY DEFINITIONS, TO PROVIDE EMPLOYERS DAILY SHALL PROVIDE EMPLOYEES WITH REASONABLE UNPAID BREAK TIME OR SHALL PERMIT EMPLOYEES TO USE PAID BREAK TIME OR MEAL TIME TO EXPRESS BREAST MILK, TO PROVIDE EMPLOYERS SHALL MAKE REASONABLE EFFORTS TO PROVIDE CERTAIN AREAS WHERE EMPLOYEES MAY EXPRESS BREAST MILK, TO PROVIDE EMPLOYERS MAY NOT DISCRIMINATE AGAINST EMPLOYEES FOR CHOOSING TO EXPRESS BREAST MILK IN THE WORKPLACE IN COMPLIANCE WITH THE PROVISIONS OF THIS ACT, AND TO PROVIDE REMEDIES FOR VIOLATIONS; AND TO PROVIDE RELATED FINDINGS AND EXPRESS RELATED POLICIES.

On motion of Senator BENNETT, the Bill was carried over.

**COMMITTEE AMENDMENT ADOPTED
AMENDED, CARRIED OVER**

H. 3596 -- Reps. Long, Erickson, Clemmons, Bales, Fry, Loftis, Burns, Hewitt, Bannister, Forrester, Herbkersman, Huggins, Lowe, D.C. Moss, B. Newton, W. Newton, Pope, Robinson, Sandifer, Simrill, G.M. Smith, G.R. Smith, Tallon, Toole, Trantham, Johnson, V.S. Moss, Stringer, Willis, Bailey, Elliott, B. Cox, Magnuson, Clary, Hixon, Martin, Davis, Mace, Kimmons, Bennett, Bradley, Jordan, Finlay, Gagnon, McDaniel, Daning, Allison, Collins, McCoy, Atkinson, Hayes, Kirby, Wooten, Ballentine, Caskey, McCravy, Gilliam, Hill, Chellis, Crawford, Taylor, Young, Weeks, Yow, Whitmire, Hosey, Clyburn, Brown, Govan, Moore and Henderson-Myers: A BILL TO AMEND SECTION 12-43-220, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CLASSIFICATION OF PROPERTY AND

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ASSESSMENT RATIOS FOR PURPOSES OF AD VALOREM TAXATION, SO AS TO LIMIT ROLLBACK TAXES TO ONE YEAR WHEN LAND CLASSIFIED AS AGRICULTURAL REAL PROPERTY IS APPLIED TO ANOTHER USE.

The Senate proceeded to the consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\3596C001.NBD.DG20), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 12-43-220(d)(4) of the 1976 Code is amended to read:

“(4) Except as provided pursuant to Section 12-43-222, when real property which is in agricultural use and is being valued, assessed, and taxed under the provisions of this article, is applied to a use other than agricultural, as evidenced by an action taken by the owner of the real property which is inconsistent with agricultural use, it is subject to additional taxes, ~~hereinafter~~ referred to as ~~roll-back~~ rollback taxes, in an amount equal to the difference, if any, between the taxes paid or payable on the basis of the valuation and the assessment authorized ~~hereunder~~ pursuant to this item and the taxes that would have been paid or payable had the real property been valued, assessed, and taxed as other real property in the taxing district, in the current tax year (the year of change in use) and each of the ~~five~~ three tax years immediately preceding in which the real property was valued, assessed, and taxed as ~~herein~~ provided in this item. If in the tax year in which a change in use of the real property occurs the real property was not valued, assessed, and taxed under this article, then the real property is subject to ~~roll-back~~ rollback taxes for each of the ~~five~~ three tax years immediately preceding in which the real property was valued, assessed, and taxed ~~hereunder~~ pursuant to this item. In determining the amounts of the ~~roll-back~~ rollback taxes chargeable on real property which has undergone a change in use, the assessor ~~shall~~ for each of the ~~roll-back~~ rollback tax years involved shall ascertain:

(A) the fair market value without consideration of the standing timber of such real property under the valuation standard applicable to other real property in the same classification;

(B) the amount of the real property assessment for the particular tax year by multiplying such fair market value by the appropriate assessment ratio provided in this article;

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(C) the amount of the additional assessment on the real property for the particular tax year by deducting the amount of the actual assessment on the real property for that year from the amount of the real property assessment determined under (B) of this section;

(D) the amount of the ~~roll-back~~ rollback for that tax year by multiplying the amount of the additional assessment determined under (C) of this section by the property tax rate of the taxing district applicable for that tax year.”

SECTION 2. This act takes effect January 1, 2021, and applies for agricultural real property changed to another use after 2020. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPBELL explained the committee amendment.

The amendment was adopted.

Senator FANNING proposed the following amendment (3596R001.SP.MWF), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 in its entirety and inserting:

/SECTION 1. Section 12-43-220(d)(4) of the 1976 Code is amended to read:

“(4)(A) Except as provided pursuant to Section 12-43-222, when real property which is in agricultural use and is being valued, assessed, and taxed under the provisions of this article, is applied to a use other than agricultural, as evidenced by an action taken by the owner of the real property which is inconsistent with agricultural use, it is subject to additional taxes, ~~hereinafter~~ referred to as ~~roll-back~~ rollback taxes, in an amount equal to the difference, if any, between the taxes paid or payable on the basis of the valuation and the assessment authorized ~~hereunder pursuant to this item~~ and the taxes that would have been paid or payable had the real property been valued, assessed, and taxed as other real property in the taxing district, in the current tax year (the year of change in use) and each of the ~~five~~ three tax years immediately preceding in which the real property was valued, assessed, and taxed as ~~herein~~ provided in this item. If in the tax year in which a change in use of the real property occurs, the real property was not valued, assessed, and taxed under this article, then the real property is subject to ~~roll-back~~ rollback taxes for each of the ~~five~~ three tax years immediately preceding in which the real property was valued, assessed, and taxed ~~hereunder~~

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pursuant to this item. In determining the amounts of the ~~roll-back~~ rollback taxes chargeable on real property which has undergone a change in use, the assessor ~~shall~~ for ~~each~~ of the ~~roll-back~~ rollback tax years involved shall ascertain:

~~(A)~~(i) the fair market value without consideration of the standing timber of such real property under the valuation standard applicable to other real property in the same classification;

~~(B)~~(ii) the amount of the real property assessment for the particular tax year by multiplying such fair market value by the appropriate assessment ratio provided in this article;

~~(C)~~(iii) the amount of the additional assessment on the real property for the particular tax year by deducting the amount of the actual assessment on the real property for that year from the amount of the real property assessment determined under ~~(B)~~(ii) of this section;

~~(D)~~(iv) the amount of the ~~roll-back~~ rollback for that tax year by multiplying the amount of the additional assessment determined under ~~(C)~~(iii) of this section by the property tax rate of the taxing district applicable for that tax year.

(B) For a taxpayer applying real property to a use other than agriculture pursuant to this section, the discounted value allowed pursuant to Section 12-43-225(A) may only apply for three property tax years.” /

Renumber sections to conform.

Amend title to conform.

Senator FANNING explained the amendment.

The amendment was adopted.

On motion of Senator DAVIS, the Bill was carried over.

OBJECTION

H. 4327 -- Reps. R. Williams, Jefferson, Ott, Magnuson, Chumley and Burns: A BILL TO AMEND SECTION 6-9-65, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INAPPLICABILITY OF CERTAIN BUILDING CODES ON FARM STRUCTURES, SO AS TO REVISE THE DEFINITION OF “FARM STRUCTURE” FOR PURPOSES OF THIS SECTION.

Senator SENN objected to consideration of the Bill.

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OBJECTION

H. 3029 -- Reps. Fry, B. Newton, Crawford and Clemmons: A BILL TO AMEND SECTION 7-17-560, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORITY OF THE STATE EXECUTIVE COMMITTEES TO HEAR CERTAIN PROTESTS AND CONTESTS, SO AS TO REQUIRE THE STATE EXECUTIVE COMMITTEES ALSO TO HEAR PROTESTS AND CONTESTS IN THE CASE OF COUNTY OFFICERS AND LESS THAN COUNTY OFFICERS; AND TO REPEAL SECTIONS 7-17-530, 7-17-540, AND 7-17-550 RELATING TO HEARINGS BY COUNTY EXECUTIVE COMMITTEES AND APPEALS FROM DECISIONS OF COUNTY EXECUTIVE COMMITTEES.

Senator MALLOY objected to consideration of the Bill.

READ THE SECOND TIME

S. 881 -- Senator Cromer: A BILL TO AMEND SECTION 38-9-200, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REINSURANCE CREDITS, SO AS TO, AMONG OTHER THINGS, ADOPT THE RECIPROCAL JURISDICTION AMENDMENT FROM THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS (NAIC) MODEL LAW AND TO MAKE OTHER CONFORMING CHANGES; AND TO AMEND SECTION 38-9-210, AS AMENDED, RELATING TO THE REDUCTION FROM LIABILITY FOR REINSURANCE, SO AS TO CORRECT A STATUTORY REFERENCE.

The Senate proceeded to the consideration of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	<i>Matthews, Margie</i>	McElveen
McLeod	Nicholson	Peeler

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Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 980 -- Senator Alexander: A BILL TO AMEND SECTION 44-21-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REGIONAL TERTIARY LEVEL DEVELOPMENTAL EVALUATION CENTERS, SO AS TO UPDATE THE NAMES OF THOSE AUTHORIZED TO FULFILL THE ROLE OF REGIONAL TERTIARY LEVEL DEVELOPMENTAL EVALUATION CENTERS.

The Senate proceeded to the consideration of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	<i>Matthews, Margie</i>	McElveen
McLeod	Nicholson	Peeler
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner

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Verdin

Williams

Young

Total--42

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 870 -- Senators Campsen, Setzler, J. Matthews, Reese, Jackson, Rankin, Alexander, Hutto, Grooms, Cromer, Sheheen, Davis, Nicholson, Gregory, Johnson, Hembree, McElveen, Shealy, Turner, Young, Sabb, Kimpson, Gambrell, Fanning, McLeod, Senn, Talley, Harpootlian, Malloy, Allen, M.B. Matthews, Williams, Rice and Scott: A BILL TO AMEND ARTICLE 2, CHAPTER 43, TITLE 48 OF THE 1976 CODE, RELATING TO OIL AND GAS EXPLORATION AND PRODUCTION, BY ADDING SECTION 48-43-300, TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL IS PROHIBITED FROM APPROVING A PLAN, LICENSE, OR PERMIT APPLICATION FOR INFRASTRUCTURE USED TO FACILITATE THE TRANSPORTATION OF CRUDE OIL OR NATURAL GAS FROM THE ATLANTIC OCEAN INTO THIS STATE, OR FOR THE EXPLORATION, DEVELOPMENT, OR PRODUCTION OF OFFSHORE CRUDE OIL OR NATURAL GAS; TO AMEND SECTION 48-43-310 OF THE 1976 CODE, RELATING TO THE REQUIREMENT FOR AN EXPLORATION PERMIT AND THE DISPOSITION OF FUNDS COLLECTED, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 48-43-390(H) OF THE 1976 CODE, RELATING TO PERMITS TO CONSTRUCT DEEP WATER PORT FACILITIES, TO MAKE CONFORMING CHANGES; TO AMEND ARTICLE 1, CHAPTER 1, TITLE 6 OF THE 1976 CODE, RELATING TO PROVISIONS APPLICABLE TO SPECIAL PURPOSE DISTRICTS AND OTHER POLITICAL SUBDIVISIONS, BY ADDING SECTION 6-1-190, TO PROHIBIT THE APPROVAL OF A PLAN, LICENSE, OR PERMIT APPLICATION BY A CITY, COUNTY, MUNICIPALITY, OR OTHER LOCAL GOVERNMENT OR POLITICAL SUBDIVISION FOR INFRASTRUCTURE USED TO FACILITATE THE

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TRANSPORTATION OF CRUDE OIL OR NATURAL GAS FROM THE ATLANTIC OCEAN INTO THIS STATE, OR FOR THE EXPLORATION, DEVELOPMENT, OR PRODUCTION OF OFFSHORE CRUDE OIL OR NATURAL GAS; AND TO DEFINE NECESSARY TERMS.

On motion of Senator CAMPSER, the Bill was carried over.

CARRIED OVER

S. 1069 -- Transportation Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION, RELATING TO CONTRACTOR PERFORMANCE EVALUATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4916, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator SETZLER, the Resolution was carried over.

OBJECTION

S. 1070 -- Transportation Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION, RELATING TO DISQUALIFICATION AND SUSPENSION FROM PARTICIPATION IN CONTRACTS WITH THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4917, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to the consideration of the Resolution.

Senator GROOMS explained the Resolution.

Senator GROOMS objected to consideration of the Resolution.

OBJECTION

S. 46 -- Senator Malloy: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 3, ARTICLE XII OF THE CONSTITUTION OF SOUTH CAROLINA, RELATING TO THE REQUIREMENT THAT THE GENERAL ASSEMBLY PROVIDE FOR THE SEPARATE CONFINEMENT OF JUVENILE OFFENDERS FROM OLDER CONFINED PERSONS, TO CHANGE THE AGE FOR WHICH THE GENERAL ASSEMBLY SHALL PROVIDE FOR THE SEPARATE CONFINEMENT OF JUVENILE

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OFFENDERS FROM “UNDER THE AGE OF SEVENTEEN” TO “UNDER THE AGE OF EIGHTEEN”.

Senator SENN objected to consideration of the Resolution.

**COMMITTEE AMENDMENT ADOPTED
AMENDMENT PROPOSED, OBJECTION**

S. 511 -- Senators Gregory, Bennett, Shealy, Turner, Cromer, Reese and Fanning: A BILL TO AMEND SECTION 20-3-120 OF THE 1976 CODE, RELATING TO ALIMONY AND SUIT MONEY, TO PROVIDE FOR SEPARATE MAINTENANCE AND SUPPORT; TO AMEND SECTION 20-3-130 OF THE 1976 CODE, RELATING TO THE AWARD OF ALIMONY AND OTHER ALLOWANCES, TO PROVIDE FOR NEW FORMS OF ALIMONY; TO AMEND SECTION 20-3-150 OF THE 1976 CODE, RELATING TO THE SEGREGATION OF ALLOWANCES BETWEEN A SPOUSE AND CHILDREN AND THE EFFECT OF THE REMARRIAGE OF A SPOUSE, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 20-3-160 OF THE 1976 CODE, RELATING TO THE CARE, CUSTODY, AND MAINTENANCE OF CHILDREN, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 20-3-170 OF THE 1976 CODE, RELATING TO THE MODIFICATION, CONFIRMATION, OR TERMINATION OF ALIMONY AND RETIREMENT BY A SUPPORTING SPOUSE, TO PROVIDE FACTORS FOR THE COURT TO CONSIDER WHEN DETERMINING THE EXISTENCE OF CHANGED CIRCUMSTANCES, TO PROVIDE THAT RETIREMENT BY A SUPPORTING SPOUSE IS SUFFICIENT GROUNDS TO WARRANT A HEARING, AND TO PROVIDE FACTORS FOR THE COURT TO CONSIDER WHEN DETERMINING WHETHER ALIMONY OR SEPARATE MAINTENANCE AND SUPPORT SHOULD BE MODIFIED, SUSPENDED, OR TERMINATED IN AMOUNT OR TERM; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to the consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD0511.002), which was adopted:

Amend the bill, as and if amended, by striking the bill in its entirety and inserting therein the following:

/ SECTION 1. Section 20-3-120 of the 1976 Code is amended to read:

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“Section 20-3-120. In every divorce action from the bonds of matrimony and in every action for separate maintenance and support, either party may in his or her complaint or answer or by petition pray for the allowance to him or her of alimony or separate maintenance and support and suit money and for the allowance of such alimony or separate maintenance and support and suit money pendente lite. If such claim shall appear well-founded the court shall allow a reasonable sum therefor.”

SECTION 2. Section 20-3-130 of the 1976 Code is amended to read:

“Section 20-3-130. (A) In proceedings for divorce from the bonds of matrimony; and in actions for separate maintenance and support, the court may grant alimony or separate maintenance and support in such amounts and for such term as the court considers appropriate as from the circumstances of the parties and the nature of case may be just, pendente lite, and permanently and as otherwise allowed by this section. No alimony or separate maintenance and support may be awarded a spouse who commits adultery before the earliest of these two events: (1) the formal signing of a written property or marital settlement agreement or (2) entry of a permanent order of separate maintenance and support or of a permanent order approving a property or marital settlement agreement between the parties.

(B) Alimony and separate maintenance and support awards may be granted pendente lite and permanently and as otherwise allowed by this section, in such amounts and for periods of time subject to conditions as the court considers just including, but not limited to:

(1) Periodic alimony to be paid but terminating on the remarriage or continued cohabitation of the supported spouse or upon the death of either spouse, ~~{except as secured in subsection (D)}~~, and terminable, suspendable, ~~and~~ or modifiable based upon the substantially changed circumstances occurring in the future. The purpose of this form of support may include, but is not limited to, circumstances where the court finds it appropriate to order the payment of alimony on an ongoing basis where it is desirable to make a current determination and requirement for the ongoing support of a spouse to be reviewed and revised as circumstances may dictate in the future.

(2) Lump-sum alimony in a finite total sum to be paid in one installment, or periodically over a period of time, terminating only upon the death of the supported spouse, but not terminable, suspendable, or modifiable based upon remarriage by the supported spouse, continued cohabitation by the supported spouse, or substantially changed circumstances in the future. The purpose of this form of support may

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include, but not be limited to, circumstances where the court finds alimony appropriate but determines that such an award be of a finite and nonmodifiable nature.

(3) Rehabilitative alimony in a finite sum to be paid in one installment or periodically, terminable upon the remarriage or continued cohabitation of the supported spouse, the death of either spouse, ~~{except as secured in subsection (D)}~~, or the occurrence of a specific event to occur in the future, or modifiable, terminable, or suspendable based upon substantially changed circumstances or unforeseen events frustrating the good faith efforts of the supported spouse to become self-supporting or the ability of the supporting spouse to pay the rehabilitative alimony. The purpose of this form of support may include, but is not limited to, circumstances where the court finds it appropriate to provide for the rehabilitation of the supported spouse, but to provide modifiable ending dates coinciding with events considered appropriate by the court such as the completion of job training or education and the like, and to require rehabilitative efforts by the supported spouse.

(4) Reimbursement alimony to be paid in a finite sum, to be paid in one installment or periodically, terminable on the remarriage or continued cohabitation of the supported spouse, or upon the death of either spouse, ~~{except as secured in subsection (D)}~~, but not terminable, suspendable, or modifiable based upon substantially changed circumstances in the future. The purpose of this form of support may include, but is not limited to, circumstances where the court finds it necessary and desirable to reimburse the supported spouse from the future earnings of the payor spouse based upon circumstances or events that occurred during the marriage.

(5) Transitional alimony to be paid periodically or in a finite total sum, but terminating upon remarriage of the supported spouse, upon the continued cohabitation of the supported spouse, upon the death of either spouse, except as secured in subsection (D), or upon a date certain. Transitional alimony is modifiable, suspendable, or terminable based upon substantially changed circumstances occurring in the future. The purpose of this form of support is to assist with the transition of the supported spouse to new financial circumstances, a new adjusted lifestyle, a new location, or any other consequences of divorce when other forms of alimony would not be appropriate.

(6) Fixed-term alimony to be paid periodically for a finite term to a supported spouse who is economically dependent, but terminating upon remarriage of the supported spouse, upon continued cohabitation of the supported spouse, upon expiration of the fixed term, or upon the

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death of either spouse, except as secured in subsection (D). Fixed-term alimony is modifiable, suspendable, or terminable based upon substantially changed circumstances occurring in the future. The purpose of this form of support is to allow a finite award where the court finds it appropriate and desirable to make a current determination and requirement for a fixed term of support for a spouse.

~~(5)~~(7) Separate maintenance and support to be paid periodically, but terminating upon the continued cohabitation of the supported spouse, upon the divorce of the parties, or upon the death of either spouse, ~~(except as secured in subsection (D))~~, and terminable, suspendable, and modifiable based upon changed circumstances in the future. The purpose of this form of support may include, but is not limited to, circumstances where a divorce is not sought, but it is necessary to provide for support of the supported spouse by way of separate maintenance and support ~~when~~ while the parties are living separate and apart but not divorced.

~~(6)~~(8) Such other form of spousal support, under terms and conditions as the court may consider just, as appropriate under the circumstances without limitation to grant more than one form of support.

(9) For purposes of this subsection and unless otherwise agreed to in writing by the parties, 'continued cohabitation' means the supported spouse resides with another person in a romantic relationship for a period of ninety or more consecutive days. The court may determine that a continued cohabitation exists if there is evidence that the supported spouse resides with another person in a romantic relationship for periods of less than ninety days and the two periodically separate in order to circumvent the ninety day requirement a mutually supportive, intimate personal relationship in which the supported spouse and another person undertake duties and privileges commonly associated with marriage, but who do not necessarily maintain a single common household.

In the determination of whether continued cohabitation exists, the court shall consider the following factors:

- (a) intertwined finances;
- (b) sharing or joint responsibility for living expenses;
- (c) recognition of the relationship in the couple's social circle, family circle, or community;
- (d) living together, the frequency of contact, the duration of the relationship, and other indicia of a mutually supportive intimate personal relationship; and
- (e) such other factors the court considers relevant.

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(C) In making an award of alimony or separate maintenance and support, the court must consider and give weight in such proportion as it finds appropriate to all of the following factors:

(1) the duration of the marriage together with the ages of the parties at the time of the marriage and at the time of the divorce or separate maintenance action between the parties;

(2) the physical and emotional condition of each spouse;

(3) the educational background of each spouse, together with need of each spouse for additional training or education in order to achieve that spouse's income potential;

(4) the employment history and earning potential of each spouse;

(5) the standard of living established during the marriage;

(6) the current and reasonably anticipated earnings of both spouses, not to include the past, present, or anticipated earnings of a subsequent spouse of the payor in the event of the payor's remarriage;

(7) the current and reasonably anticipated expenses and needs of both spouses;

(8) the marital and nonmarital properties of the parties, including those apportioned to him or her in the divorce or separate maintenance action;

(9) custody of the children, particularly where conditions or circumstances render it appropriate that the custodian not be required to seek employment outside the home, or where the employment must be of a limited nature;

(10) marital misconduct or fault of either or both parties, whether or not used as a basis for a divorce or separate maintenance decree if the misconduct affects or has affected the economic circumstances of the parties, or contributed to the breakup of the marriage, except that no evidence of personal conduct which may otherwise be relevant and material for the purpose of this subsection may be considered with regard to this subsection if the conduct took place subsequent to the happening of the earliest of (a) the formal signing of a written property or marital settlement agreement or (b) entry of a permanent order of separate maintenance and support or of a permanent order approving a property or marital settlement agreement between the parties;

(11) the tax consequences to each party as a result of the particular form of support awarded, the tax filing status of each party, and tax matters referenced below in subsection (F);

(12) the existence and extent of any support obligation from a prior marriage or for any other reason of either party; and

(13) such other factors the court considers relevant.

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(D) In making an award of alimony or separate maintenance and support, the court may make provision for security for the payment of the support including, but not limited to, requiring the posting of money, property, and bonds and may require a spouse, with due consideration of the cost of premiums, insurance plans carried by the parties during marriage, insurability of the payor spouse, the probable economic condition of the supported spouse upon the death of the payor spouse, and any other factors the court may ~~deem~~ consider relevant, to carry and maintain life insurance so as to assure support of a spouse beyond the death of the payor spouse without the need to establish special circumstances, compelling reasons, or extraordinary circumstances.

(E) In making an award of alimony or separate maintenance and support, the court may order the direct payment to the supported spouse or may require that the payments be made through the Family Court and allocate responsibility for the service fee in connection with the award. The court may require the payment of debts, obligations, and other matters on behalf of the supported spouse.

(F) The court may elect and determine the intended tax effect of the alimony and separate maintenance and support as provided to the extent authorized by the Internal Revenue Code and any corresponding state tax provisions. The Family Court may allocate the right to claim dependency exemptions pursuant, tax credits, and deductions to the extent authorized by ~~to~~ the Internal Revenue Code and under corresponding state tax provisions and to require the execution and delivery of all necessary documents and tax filings in connection ~~with the exemption therewith.~~

(G) The Family Court may review and approve all agreements which bear on the issue of alimony or separate maintenance and support, whether brought before the court in actions for divorce from the bonds of matrimony, separate maintenance and support actions, or in actions to approve agreement where the parties are living separate and apart. The failure to seek a divorce, or separate maintenance, ~~or a legal separation~~ does not deprive the court of its authority and jurisdiction to approve and enforce the agreements. The parties may agree in writing if properly approved by the court to make the payment of alimony as set forth in items (1) through ~~(6)~~ (8) of subsection (B) nonmodifiable and not subject to subsequent modification by the court.

(H) The court, from time to time after considering the financial resources and marital fault of both parties, may order one party to pay a reasonable amount to the other for attorney fees, expert fees, investigation fees, costs, and suit money incurred in maintaining an action for divorce from the bonds of matrimony, as well as in actions for

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separate maintenance and support, including sums for services rendered and costs incurred before the commencement of the proceeding and after entry of judgment, pendente lite and permanently and as otherwise allowed by this section.

(I) For purposes of this section:

(1) ‘Terminate, terminable, and terminating’ means to put an end to and conclude the obligation to make any further payments.

(2) ‘Modify, modifiable, and modifying’ means to allow the amount or term of alimony or separate maintenance and support to be decreased or increased.

(3) ‘Suspend, suspendable, and suspending’ means either to postpone the payment of alimony while the obligation to pay continues, or to defer both the payment and the obligation to pay.”

SECTION 3. Section 20-3-150 of the 1976 Code is amended to read:

“Section 20-3-150. If the court awards the custody of the children to the spouse receiving alimony or separate maintenance and support, the court, by its decree, unless good cause to the contrary be shown, shall allocate any award for ~~permanent~~ alimony and support between the supported spouse and the children and upon the remarriage or continued cohabitation of the supported spouse the amount fixed in the decree for his or her support shall cease and no further alimony or separate maintenance and support payments designated for the benefit of the supported spouse may be required from the supporting spouse.

For purposes of this section and unless otherwise agreed to in writing by the parties, ~~‘continued cohabitation’ means the supported spouse resides with another person in a romantic relationship for a period of ninety or more consecutive days. The court may determine that a continued cohabitation exists if there is evidence that the supported spouse resides with another person in a romantic relationship for periods of less than ninety days and the two periodically separate in order to circumvent the ninety day requirement~~ has the same meaning as the term is defined in Section 20-3-130(B)(9).”

SECTION 4. Section 20-3-160 of the 1976 Code of laws is amended to read:

“Section 20-3-160. In any action for divorce from the bonds of matrimony or separate maintenance and support, the court may at any stage of the cause, or from time to time after final judgment, make such orders touching the care, custody and maintenance of the children of the marriage and what, if any, security shall be given for the same as from the circumstances of the parties and the nature of the case and the best

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spiritual as well as other interests of the children may be fit, equitable and just.”

SECTION 5. Section 20-3-170 of the 1976 Code is amended to read:

“Section 20-3-170. (A) Whenever any husband or wife, pursuant to a judgment of divorce from the bonds of matrimony or separate decree of separate maintenance and support, has been required to make his or her spouse any periodic payments of alimony or separate maintenance and support and the circumstances of the parties or the financial ability of the spouse making the periodic payments shall have substantially changed since the rendition of such judgment, either party may apply to the court which rendered the judgment for an order and judgment decreasing or increasing the amount of such alimony or separate maintenance and support payments or terminating, modifying, or suspending such payments and the court, after giving both parties an opportunity to be heard and to introduce evidence relevant to the issue, shall make such order and judgment as justice and equity shall require, with due regard to the substantially changed circumstances and the financial ability of the supporting spouse, decreasing or increasing or confirming the amount of alimony or separate maintenance and support provided for in such original judgment or suspending, modifying, or terminating such payments. Thereafter the supporting spouse shall pay and be liable to pay the amount of alimony or separate maintenance and support payments directed in such order and judgment and no other or further amount and such original judgment, for the purpose of all actions or proceedings of every nature and wherever instituted, whether within or without this State, shall be ~~deemed~~ considered to be and shall be modified accordingly, subject in every case to a further proceeding or proceedings under the provisions of this section in relation to such modified judgment.

(B) In the determination of the existence of substantially changed circumstances since the commencement of any alimony or separate maintenance and support payments, the court may consider the factors in Section 20-3-130(C) and shall consider the following factors:

(1) the reason for and amount of any substantial change in passive or active income of either spouse, not to include the past, present, or anticipated earnings of a subsequent spouse in the event of remarriage;

(2) modification of any child support obligations since the rendition of a judgment of divorce;

(3) the reason for and amount of any substantial change in net worth of either spouse;

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(4) the reason for and any substantial change in earning potential of either spouse;

(5) any substantial change in expenses of either spouse;

(6) impact of the supporting spouse's health on ability to pay;

(7) retirement; and

(8) any other factors the court sees fit.

~~(B)~~(C) Retirement by the supporting spouse is sufficient grounds to warrant a hearing, if so moved by a party, to evaluate whether ~~there has been a change of circumstances for the alimony or separate maintenance~~ and support should be modified, suspended, or terminated in amount or term. The court may consider the factors in Section 20-3-130(C) and shall consider the following factors:

(1) whether retirement was contemplated when alimony was awarded;

(2) whether the age of the supporting spouse has reached full retirement age, which is the age at which a person becomes eligible for full social security benefits;

(3) the health of ~~the supporting~~ each spouse;

(4) the reason for retirement, including whether the retirement is mandatory or voluntary;

(5) whether retirement would result in a decrease in the supporting spouse's income; ~~and~~

(6) the income and assets of either spouse; and

(7) any other factors the court sees fit.

(D) For purposes of this section:

(1) 'Terminate, terminable, and terminating' means to put an end to and conclude the obligation to make any further payments.

(2) 'Modify, modifiable, and modifying' means to allow the amount or term of alimony or separate maintenance and support to be decreased or increased.

(3) 'Suspend, suspendable, and suspending' means either to postpone the payment of alimony while the obligation to pay continues, or to defer both the payment and the obligation to pay.'

SECTION 6. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining

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any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 7. SECTIONS 1 and 4 of this act take effect upon approval by the Governor. SECTIONS 2, 3, and 5 of this act take effect upon approval by the Governor and apply to any actions filed with a court after that effective date.

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the committee amendment.

The amendment was adopted.

Senator MALLOY proposed the following amendment (JUD0511.012):

Amend the bill, as and if amended, page 2, by striking lines 26 through 37, in Section 20-3-130, as contained in SECTION 2, and inserting therein the following:

/ (B) In proceedings for divorce from the bonds of matrimony, and in actions for separate maintenance and support, the court may grant alimony or separate maintenance and support in such amounts and for such term as the court considers appropriate as from the circumstances of the parties and the nature of case may be just, pendente lite, and permanently. No alimony or separate maintenance and support may be awarded a spouse who commits adultery before the earliest of these two events: (1) the formal signing of a written property or marital settlement agreement or (2) entry of a permanent order of separate maintenance and support or of a permanent order approving a property or marital settlement agreement between the parties. filing of an action to seek a divorce or separate maintenance and support. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY objected to further consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

S. 719 -- Senators Hembree and Fanning: A BILL TO AMEND SECTION 33-57-120, AS AMENDED, CODE OF LAWS OF SOUTH

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CAROLINA, 1976, RELATING TO RAFFLES CONDUCTED BY NONPROFIT ORGANIZATIONS, SO AS TO AUTHORIZE NONPROFIT ORGANIZATIONS RECOGNIZED AS TAX-EXEMPT UNDER INTERNAL REVENUE CODE SECTION 501(c)(5) TO CONDUCT A RAFFLE AND TO REMOVE THE PROHIBITION ON THE USE OF FUNDS RAISED BY THE RAFFLE TO PURCHASE ATHLETIC EQUIPMENT; TO AMEND SECTION 33-57-140, AS AMENDED, RELATING TO STANDARDS FOR RAFFLES, SO AS TO INCREASE THE FAIR MARKET VALUE OF INDIVIDUAL PRIZE AND TOTAL PRIZE LIMITS; AND TO REPEAL SECTION 33-57-200 RELATING TO THE REPEAL OF CHAPTER 57, TITLE 33.

The Senate proceeded to the consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD0719.003), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting therein the following:

/ SECTION 1. Section 33-57-140(L) of the 1976 Code is amended to read:

“(L) An individual prize awarded to each winner in a raffle shall not exceed a maximum fair market value of ~~forty~~ eighty thousand dollars. No real property shall be offered as a prize in a raffle. For each raffle event, the total fair market value of all prizes offered by any nonprofit organization shall not exceed ~~two~~ three hundred ~~fifty~~ thousand dollars.”

SECTION 2. Section 33-57-150 of the 1976 Code is amended to read:

“Section 33-57-150. (A) Expenses that are reasonable and necessary to operate and conduct raffles, as authorized by this chapter, are allowable.

(B) Allowable expenses include only reasonable and necessary expenses incurred for:

(1) advertising, including the cost of printing raffle tickets and gift certificates, provided that costs of advertising are reasonable and the services are not provided, directly or indirectly, in connection with any other service related to operating or conducting a nonprofit raffle regardless of whether those services are compensated;

(2) office supplies, copying, and minor office equipment costs incurred in conducting or operating a nonprofit raffle;

(3) reasonable postage, parking, and shipping costs;

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(4) costs of food and beverages, including corkage and gratuity fees, provided to the attendees and volunteers of the event;

(5) costs of materials and supplies for decorating a facility used for a nonprofit raffle drawing;

(6) entertainment-related costs, such as disc jockeys, music bands, auctioneers, waiters, bartenders, and wait staff, incurred during the conducting or operating of a nonprofit raffle drawing;

(7) repairs to premises and equipment related to conducting or operating a nonprofit raffle;

(8) door prizes or raffle prizes;

(9) stated premises' rental or insurance expenses;

(10) security expenses incurred in conducting or operating a nonprofit raffle;

(11) bookkeeping, accounting, or legal services utilized in connection with a nonprofit raffle including, but not limited to, the registration fees and the required financial reports;

(12) permit costs, fees, or taxes required by local or state government to conduct and operate a nonprofit raffle; and

(13) janitorial services and supplies incurred in conducting or operating a nonprofit raffle.

(C) A report shall be submitted annually to the Secretary no later than the fifteenth day of the fifth month after the end of the nonprofit organization's fiscal year. The report must be signed under penalty of perjury and must contain the following information for each raffle conducted within the preceding year:

(1) the amount of the gross receipts;

(2) ~~an itemized list of expenses incurred or paid, including the name of each person, company, or governmental entity to whom an expense was paid~~ the amount of adjusted gross receipts;

(3) ~~each item of an expenditure made or to be made, with a detailed description of the merchandise purchased or the services rendered, and the name of each person, company, or governmental entity to whom the expenditure is to be made~~ the total amount of expenses incurred in conducting the raffle;

(4) the amount of the net receipts;

(5) ~~the use to which the net receipts have been or are to be applied~~ the total value of cash prizes awarded;

(6) ~~a list of prizes offered and given, with an estimate of their respective values~~ the total value of noncash prizes awarded; and

(7) the number of tickets sold.

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(D) A nonprofit organization that has affiliates or subsidiaries that are registered to conduct raffles pursuant to the provisions of this chapter may submit a single report that contains all of the required information for each raffle conducted by the affiliate or subsidiary to the Secretary provided that the report is submitted in a format authorized by the Secretary.

(E) Records required by this chapter shall be preserved for three years, and organizations shall make available their records relating to operations of raffles at any time at the request of a member of the organization, or investigators from the Secretary or from law enforcement. For each raffle conducted, the nonprofit organization must maintain records of the following information:

(1) a list of prizes offered and given with an estimate of their respective values;

(2) an itemized list of expenses incurred or paid, including the name of each person, company, or governmental entity to whom an expense was paid;

(3) each item of an expenditure made or to be made, with a detailed description of the merchandise purchased or the services rendered, and the name of each person, company, or governmental entity to whom the expenditure is to be made; and

(4) the use to which the net receipts have been applied.

~~(E)~~(F) No new registration shall be issued to an organization that fails to file its report as required by this section until all reports are filed, and the Secretary has confirmed that the information in the reports is in compliance with the provisions of this chapter. An organization that fails to file a timely annual report required by this section may be assessed by the Secretary administrative fines of ten dollars for each day of noncompliance for each delinquent report not to exceed two thousand dollars for each separate violation. In addition to the assessed fines, the Secretary may revoke an organization's registration for failure to file an annual report and bring an action before an administrative law judge to enjoin the organization from conducting raffles until the required reports are filed with the Secretary."

SECTION 3. Section 33-57-200 of the 1976 Code is amended to read:

"Section 33-57-200. ~~(A)~~ The provisions of this chapter are repealed as of July 1, 2020, unless and until the General Assembly reauthorizes the provisions by joint resolution by a two-thirds vote of each body. The vote on the reauthorization may occur within two years preceding the date of repeal July 1, 2025.

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~~(B) The provisions of this chapter are repealed every ten years thereafter, unless reauthorized in accordance with subsection (A)."~~

SECTION 4. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the committee amendment.

The amendment was adopted.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Malloy	Martin	Massey
<i>Matthews, John</i>	<i>Matthews, Margie</i>	McElveen
McLeod	Nicholson	Peeler
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

There being no further amendments, the Bill as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

S. 1002 -- Senators Rankin, Malloy, Young, McElveen, Kimpson, M.B. Matthews, Senn, Harpootlian, Sabb, Campsen, Hutto, Setzler,

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Hembree, Talley, Davis and Goldfinch: A BILL TO AMEND SECTION 14-7-1050, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO JURY VOIR DIRE, SO AS TO PROVIDE FOR ATTORNEY CONDUCTED JURY VOIR DIRE BY ORAL AND DIRECT QUESTIONING; TO AMEND SECTION 14-7-1060, RELATING TO THE DRAWING OF A JURY PANEL, SO AS TO PROVIDE THAT THE NUMBER OF JURORS TO BE DRAWN IS WITHIN THE DISCRETION OF THE TRIAL JUDGE; AND TO AMEND SECTION 14-7-1080, RELATING TO THE DRAWING OF A SECOND JURY PANEL, SO AS TO DELETE THE REQUIREMENT THAT THE PANEL MUST BE MADE UP OF TWENTY JURORS.

Senator MASSEY objected to consideration of the Bill.

**COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME**

H. 3309 -- Reps. Cobb-Hunter, Thigpen, Henderson-Myers, Collins, Rose, Dillard, Caskey, Bannister, Norrell and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 15 TO CHAPTER 3, TITLE 23 SO AS TO PROVIDE THAT THE STATE LAW ENFORCEMENT DIVISION SHALL CREATE AND OPERATE A STATEWIDE SEXUAL ASSAULT KIT TRACKING SYSTEM.

The Senate proceeded to the consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD3309.004), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting therein the following:

/ SECTION 1. Chapter 3, Title 23 of the 1976 Code is amended by adding:

“Article 15

Statewide Sexual Assault Kit Tracking System

Section 23-3-1300. (A) The State Law Enforcement Division (SLED) shall create and operate a statewide sexual assault kit tracking system. SLED may contract with state or non-state entities including, but not limited to, private software and technology providers, for the creation, operation, and maintenance of the system.

(B) All medical facilities, law enforcement agencies, forensic laboratories, or other persons or entities that collect evidence for, or receive, store, analyze, maintain or preserve sexual assault kits, must

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participate in the statewide sexual assault kit tracking system for the purpose of tracking the location and status of all sexual assault kits in their custody. Participation must begin according to the implementation schedule established by SLED.

(C) The statewide sexual assault kit tracking system must:

(1) track the location and status of sexual assault kits throughout the criminal justice process, including the initial collection in examinations performed at medical facilities, receipt and storage at law enforcement agencies, receipt and analysis at forensic laboratories, and storage and any destruction after completion of analysis;

(2) allow participating entities who have custody of sexual assault kits to update and track the status and location of the kits;

(3) allow victims of sexual assault to anonymously track or receive updates regarding the status of their sexual assault kits; and

(4) use electronic or other technologies which allow for continuous access.

(D) SLED may use a phased implementation process in order to launch the system and facilitate entry and use of the system for entities required to participate pursuant to subsection (B). SLED may phase in initial participation according to region, volume, or other appropriate classifications. All entities must participate fully in the system no later than June 1, 2022. SLED shall submit a report on the current status and plan for launching the system, including the plan for phased implementation, to the House and Senate Judiciary committees and the Governor by January 1, 2021.

(E) SLED shall submit a semiannual report on the statewide sexual assault kit tracking system to the House and Senate Judiciary committees and the Governor. SLED may publish the current report on its website. The first report is due July 31, 2022, and subsequent reports are due January thirty-first and July thirty-first of each year. The report must include the:

(1) total number of sexual assault kits in the system statewide and by jurisdiction;

(2) total and semiannual number of sexual assault kits where forensic analysis has been completed statewide and by jurisdiction;

(3) number of sexual assault kits added to the system in the reporting period statewide and by jurisdiction;

(4) total and semiannual number of sexual assault kits where forensic analysis has been requested but not completed statewide and by jurisdiction;

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(5) average and median length of time for sexual assault kits to be submitted for forensic analysis after being added to the system, including separate sets of data for all sexual assault kits in the system statewide and by jurisdiction and for sexual assault kits added to the system in the reporting period statewide and by jurisdiction;

(6) average and median length of time for forensic analysis to be completed on sexual assault kits after being submitted for analysis, including separate sets of data for all sexual assault kits in the system statewide and by jurisdiction and for sexual assault kits added to the system in the reporting period statewide and by jurisdiction;

(7) total and semiannual number of sexual assault kits destroyed or removed from the system statewide and by jurisdiction;

(8) total number of sexual assault kits, statewide and by jurisdiction, where forensic analysis has not been completed and six months or more have passed since those sexual assault kits were added to the system; and

(9) total number of sexual assault kits, statewide and by jurisdiction, where forensic analysis has not been completed and one year or more has passed since those sexual assault kits were added to the system.

(F) For the purpose of reports under subsection (E), a sexual assault kit must be assigned to the jurisdiction associated with the law enforcement agency anticipated to receive the sexual assault kit or otherwise in custody of the sexual assault kit.

(G) SLED shall establish guidelines to ensure that the statewide sexual assault kit tracking system protects victim information from disclosure to nonparticipating entities. Except as otherwise required for reporting under subsection (E), information maintained in the statewide sexual assault kit tracking system is confidential and not a public record as defined in Section 30-4-20(C).

(H) A participating entity may not be held civilly liable for damages arising from the release of information or the failure to release information related to the statewide sexual assault kit tracking system, as long as the release was without gross negligence.”

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the committee amendment.

The amendment was adopted.

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Senator MALLOY proposed the following amendment (JUD3309.006), which was adopted:

Amend the bill, as and if amended, page 4, by striking lines 1 through 7.

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Malloy	Martin	Massey
<i>Matthews, John</i>	<i>Matthews, Margie</i>	McElveen
McLeod	Nicholson	Peeler
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

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**COMMITTEE AMENDMENT ADOPTED
AMENDED, CARRIED OVER**

S. 1041 -- Senator Climer: A BILL TO AMEND SECTION 39-20-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SELF-SERVICE STORAGE FACILITY DEFINITIONS, SO AS TO ADD THE DEFINITION OF "LATE FEE"; TO AMEND SECTION 39-20-30, RELATING TO LIENS AND DENIAL OF ACCESS TO PERSONAL PROPERTY, SO AS TO PROVIDE THAT AN OWNER MAY IMPOSE CERTAIN LATE FEES; TO AMEND SECTION 39-20-45, RELATING TO THE ENFORCEMENT OF LIENS, SO AS TO PROVIDE FOR CERTAIN ONLINE NOTIFICATIONS.

The Senate proceeded to the consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (1041R001.KD.), which was adopted:

Amend the bill, as and if amended, page 1, by striking all after the enacting words and inserting:

/SECTION 1. Section 39-20-20 of the 1976 Code is amended by adding appropriately lettered new items to read:

"() 'Independent bidder' means a bidder who is not related to and who has no controlling interest in, or common pecuniary interest with, the owner or any other bidder.

() 'Late fee' means any fee or charge assessed for an occupant's failure to pay rent or other fees, charges, or costs when due. 'Late fee' does not include interest on a debt, expenses incurred in the collection of unpaid rent, expenses necessary for the preservation of personal property or expenses reasonably incurred in its sale or another disposition under this chapter, or costs associated with the enforcement of any other remedy provided by law or contract."

SECTION 2. Section 39-20-30 of the 1976 Code is amended by adding appropriately lettered new subsections at the end to read:

"() An owner may impose a reasonable late fee if an occupant does not pay all rent, charges, fees, or expenses when due.

() An owner may not impose a late fee unless the amount of that fee and the conditions for imposing that fee are stated in the rental agreement.

() A late fee of twenty dollars or ten percent of the amount of each rental payment, whichever is greater, is considered reasonable and does not constitute a penalty. Any late fee imposed by an owner pursuant to this section must be in addition to any other remedy provided by law or contract."

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SECTION 3. Section 39-20-45(E) and (I) of the 1976 Code is amended to read:

“(E) After the expiration of the fifty-day default period, the owner shall publish an advertisement of the public sale to the highest bidder once a week for two consecutive weeks in the print version and the digital version, if available, of a newspaper of general circulation where the self-service storage facility is located and in any other commercially reasonable manner. The manner of advertisement is considered commercially reasonable if at least three independent bidders attend or view the sale in person or online at the time and place advertised.

(I) If no one purchases the property at the public sale and if the owner has complied with the foregoing procedures, the owner may otherwise dispose of the property and shall notify the occupant of the action taken. Any sale or disposition of the personal property must be held at the self-service storage facility, ~~or~~ at the nearest suitable place to where the personal property is held or stored, or online.”

SECTION 4. This act takes effect upon approval by the Governor. /
Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Senator SCOTT proposed the following amendment (SA\1041C001.RT.SA20), which was adopted:

Amend the bill, as and if amended, by striking SECTION 2 and inserting:

/ SECTION 2. Section 39-20-30 of the 1976 Code is amended by adding appropriately lettered subsections at the end to read:

“() An owner may impose a reasonable late fee if an occupant does not pay all rent, charges, fees, or expenses when due.

() An owner may not impose a late fee unless the amount of that fee and the conditions for imposing that fee are stated in the rental agreement.

() A late fee of twenty dollars or ten percent of the amount of each rental payment, whichever is greater, after the rent is past due for ten days, is considered reasonable and does not constitute a penalty. Any late fee imposed by an owner pursuant to this section must be in addition to any other remedy provided by law or contract.” /

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Renumber sections to conform.

Amend title to conform.

Senator SCOTT explained the amendment.

The amendment was adopted.

On motion of Senator CORBIN, the Bill was carried over.

OBJECTION

S. 1084 -- Senators Grooms and Senn: A BILL TO AMEND ARTICLE 3, CHAPTER 25, TITLE 57 OF THE 1976 CODE, RELATING TO THE HIGHWAY ADVERTISING CONTROL ACT, BY ADDING SECTION 57-25-187, TO PROVIDE THAT AN OWNER OF AN OUTDOOR ADVERTISING SIGN SHALL HAVE THE OPTION TO RELOCATE OR ADJUST THE SIGN IF THE SIGN IS OBSTRUCTED BY THE CONSTRUCTION OF A SOUND BARRIER, TO PROVIDE THAT THE COST OF RELOCATING OR ADJUSTING THE SIGN SHALL BE PAID BY THE ENTITY RESPONSIBLE FOR THE CONSTRUCTION OF THE SOUND BARRIER, AND TO PROVIDE THAT A LOCAL GOVERNMENT SHALL PROVIDE COMPENSATION IF THE DEPARTMENT OF TRANSPORTATION ISSUES AN ENCROACHMENT PERMIT TO THE LOCAL GOVERNMENT FOR THE CONSTRUCTION OF A SOUND BARRIER WITHIN A HIGHWAY RIGHT-OF-WAY; AND TO AMEND SECTION 57-25-190 OF THE 1976 CODE, RELATING TO COMPENSATION FOR THE REMOVAL OF SIGNS AND RELOCATION OF SIGNS AFFECTED BY HIGHWAY PROJECTS, TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL PAY JUST COMPENSATION UPON THE REMOVAL OF AN OUTDOOR ADVERTISING SIGN IF THE VISIBILITY OR READABILITY OF THE SIGN HAS BEEN OBSTRUCTED BY THE CONSTRUCTION OF A SOUND BARRIER WITHIN THE HIGHWAY RIGHT-OF-WAY.

Senator SENN objected to consideration of the Bill.

ADOPTED

S. 1131 -- Senator Turner: A SENATE RESOLUTION TO AUTHORIZE THE GREENVILLE YOUNG MEN'S CHRISTIAN ASSOCIATION TO USE THE CHAMBER OF THE SOUTH CAROLINA SENATE AND ANY AVAILABLE COMMITTEE

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HEARING ROOMS IN THE GRESSETTE BUILDING FOR ITS YOUTH IN GOVERNMENT PROGRAM ON MONDAY, NOVEMBER 16 AND THURSDAY, NOVEMBER 19 AND FRIDAY, NOVEMBER 20, 2020. HOWEVER, THE CHAMBER MAY NOT BE USED IF THE SENATE IS IN SESSION OR THE CHAMBER IS OTHERWISE UNAVAILABLE.

The Resolution was adopted.

S. 1051 -- Senator Campbell: A SENATE RESOLUTION TO RECOGNIZE NOVEMBER 19, 2020 AS "TRANSPORTATION SECURITY ADMINISTRATION APPRECIATION DAY" IN SOUTH CAROLINA.

The Resolution was adopted.

S. 1118 -- Senators Shealy and Setzler: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO GIRLS STATE TO USE THE CHAMBERS OF THE SOUTH CAROLINA SENATE AND HOUSE OF REPRESENTATIVES ON FRIDAY, JUNE 12, 2020.

The Resolution was adopted, ordered sent to the House.

OBJECTION

H. 5282 -- Rep. Howard: A CONCURRENT RESOLUTION TO DECLARE MARCH 2020 AS BLEEDING DISORDERS AWARENESS MONTH IN THE STATE OF SOUTH CAROLINA AND TO INCREASE RECOGNITION OF THESE ILLNESSES.

Senator VERDIN objected to consideration of the Resolution.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 4:02 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

HAVING DISPENSED WITH THE MOTION PERIOD, THE SENATE PROCEEDED TO A CONSIDERATION OF REPORTS OF COMMITTEES OF CONFERENCE AND FREE CONFERENCE.

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**H. 4411--REPORT OF THE
COMMITTEE OF CONFERENCE ADOPTED**

H. 4411 -- Reps. Clemmons, Anderson, Crawford, McGinnis, Hardee, Bailey and Fry: A BILL TO AMEND SECTION 7-7-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN HORRY COUNTY, SO AS TO DELETE FOUR PRECINCTS, TO ADD EIGHT PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

On motion of Senator SABB, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator SABB spoke on the report.

On motion of Senator SABB, with unanimous consent, the Committee of Conference was granted Free Conference Powers.

**H. 4411--Free Conference Powers Granted
Free Conference Committee Appointed**

Whereupon, Senators SABB, WILLIAMS, and GOLDFINCH were appointed to the Committee of Free Conference on the part of the Senate and a message was sent to the House accordingly.

On motion of Senator SABB, with unanimous consent, the Report of the Committee of Free Conference was adopted.

The Report of the Committee of Free Conference was adopted as follows:

H. 4411 -- Free Conference Report

The General Assembly, Columbia, S.C., February 19, 2020

The COMMITTEE OF FREE CONFERENCE, to whom was referred:
H. 4411 -- Reps. Clemmons, Anderson, Crawford, McGinnis, Hardee, Bailey and Fry: A BILL TO AMEND SECTION 7-7-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN

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HORRY COUNTY, SO AS TO DELETE FOUR PRECINCTS, TO ADD EIGHT PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments: (Reference is to Printer's Version 01/16/20.)

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 7-7-320 of the 1976 Code, as last amended by Act No. 133 of 2018, is further amended to read:

"Section 7-7-320. (A) In Horry County there are the following voting precincts:

Adrian
Allsbrook
Atlantic Beach
Aynor
Bayboro-Gurley
Brooksville #1
Brooksville #2
Brownway
Burgess #1
Burgess #2
Burgess #3
Burgess #4
Burgess #5
Carolina Bays
Carolina Forest #1
Carolina Forest #2
Cedar Grove
Cherry Grove #1
Cherry Grove #2
Coastal Carolina
Coastal Lane #1
Coastal Lane #2
Cool Springs
Crescent
Daisy
Deerfield

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Dog Bluff
Dogwood
Dunes #1
Dunes #2
Dunes #3
East Conway
East Loris
Ebenezer
Emerald Forest #1
Emerald Forest #2
Emerald Forest #3
~~Enterprise~~
Enterprise #1
Enterprise #2
Forestbrook
Four Mile
Galivants Ferry
Garden City #1
Garden City #2
Garden City #3
Garden City #4
Glenns Bay
Green Sea
Hickory Grove
~~Hickory Hill~~
Homewood
Horry
Inland
Jackson Bluff
Jamestown
Jernigans X Roads
Jet Port #1
Jet Port #2
Jet Port #3
Jet Port #4
~~Jordanville~~
~~Joyner Swamp~~
Juniper Bay
Lake Park #1
Lake Park #2
Lake Park #3

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Leon
Little River #1
Little River #2
Little River #3
Live Oak
Maple
Marlowe #1
Marlowe #2
Marlowe #3
Methodist-Mill Swamp
Mt. Olive
Mt. Vernon
Myrtle Trace
Myrtlewood #1
Myrtlewood #2
Myrtlewood #3
Nixons X Roads #1
Nixons X Roads #2
Nixons X Roads #3
North Conway #1
North Conway #2
Ocean Drive #1
Ocean Drive #2
Ocean Drive #3
Ocean Forest #1
Ocean Forest #2
Ocean Forest #3
Palmetto Bays
Pawley's Swamp
Pleasant View
Poplar Hill
Port Harrelson
Race Path #1
Race Path #2
Red Bluff
Red Hill #1
Red Hill #2
River Oaks
Salem
Sea Oats #1
Sea Oats #2

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Sea Winds
Shell
Socastee #1
Socastee #2
Socastee #3
Socastee #4
~~Spring Branch~~
Surfside #1
Surfside #2
Surfside #3
Surfside #4
Sweet Home
~~Taylorville~~
Tilly Swamp
Toddville
Waccamaw
Wampee
West Conway
West Loris
White Oak
Wild Wing
Windy Hill #1
Windy Hill #2

(B) Precinct lines defining the precincts provided for in subsection (A) are as shown on maps filed with the Board of Voter Registration and Elections of Horry County as provided and maintained by the Revenue and Fiscal Affairs Office designated as document ~~P-51-17~~ P-51-20A.

(C) Polling places for the precincts listed in subsection (A) must be determined by the Board of Voter Registration and Elections of Horry County with the approval of a majority of the Horry County Legislative Delegation.”

SECTION 2. This act takes effect March 15, 2020. /
Amend title to conform.

/s/Sen. Kent M. Williams	/s/Rep. Russell W. Fry
/s/Sen. Ronnie A. Sabb	/s/Rep. Heather Ammons Crawford
/s/Sen. Stephen L. Goldfinch Jr.	/s/Rep. Kevin James Hardee
On Part of the Senate.	On Part of the House.

, and a message was sent to the House accordingly.

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HAVING DISPENSED WITH THE MOTION PERIOD, THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

NONCONCURRENCE

S. 76 -- Senators Cromer and Alexander: A BILL TO AMEND SECTION 48-52-870, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ENERGY EFFICIENT MANUFACTURED HOMES INCENTIVE PROGRAM, SO AS TO EXTEND THE PROGRAM FIVE ADDITIONAL YEARS; AND TO AMEND SECTION 12-36-2110, RELATING TO THE MAXIMUM SALES TAX, SO AS TO MAKE A CONFORMING CHANGE.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator CROMER explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 0; Nays 41

AYES

Total--0

NAYS

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gregory
Grooms	Harpootlian	Hembree
Hutto	Jackson	Johnson
Kimpson	Leatherman	Malloy
Martin	Massey	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--41

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On motion of Senator CROMER, the Senate nonconcurrent in the House amendments and a message was sent to the House accordingly.

AMENDED, CARRIED OVER

S. 194 -- Senators Shealy and Senn: A BILL TO AMEND SECTIONS 16-15-90 AND 16-15-100, RELATING TO PROSTITUTION, TO INCREASE THE PENALTIES FOR SOLICITATION OF PROSTITUTION, ESTABLISHING OR KEEPING A BROTHEL OR HOUSE OF PROSTITUTION, OR CAUSING OR INDUCING ANOTHER TO PARTICIPATE IN PROSTITUTION; TO ESTABLISH THE AFFIRMATIVE DEFENSE OF BEING A VICTIM OF HUMAN TRAFFICKING; AND TO INCREASE THE PENALTIES FOR SOLICITING, CAUSING, OR INDUCING ANOTHER FOR OR INTO PROSTITUTION WHEN THE PROSTITUTE HAS A MENTAL DISABILITY.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator SHEALY proposed the following amendment (JUD0194.005), which was adopted:

Amend the bill, as and if amended, page 3, by striking lines 38-40 and inserting therein:

/ (a) for a first offense, must be fined not less than two hundred fifty dollars and not more than one thousand dollars or imprisoned not more than thirty days, or both. Notwithstanding the provisions of Sections 22-3-540, 22-3-545, 22-3-550, and 14-25-65, a first offense charged for this item may be tried in magistrate or municipal court; /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Senator SHEALY proposed the following amendment (JUD0194.006), which was withdrawn:

Amend the bill, as and if amended, by striking SECTION 4. F. beginning on page 7, line 32 and ending on page 8, line 24.

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Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

On motion of Senator HUTTO, with unanimous consent, the amendment was withdrawn.

On motion of Senator MALLOY, the Bill was carried over.

CONCURRENCE

S. 580 -- Senator Gambrell: A BILL TO AMEND CHAPTER 29, TITLE 38, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA LIFE AND ACCIDENT AND HEALTH INSURANCE GUARANTY ASSOCIATION, SO AS TO DEFINE NECESSARY TERMS, TO PROVIDE THE PURPOSE OF THE CHAPTER, TO ALTER THE APPLICATION OF THE CHAPTER, TO ESTABLISH CERTAIN POWERS AND DUTIES FOR THE ASSOCIATION IN RELATION TO IMPAIRED OR INSOLVENT MEMBER INSURERS, TO PROVIDE THAT THE BOARD OF DIRECTORS OF THE ASSOCIATION MAY CALL AN ASSESSMENT OF THE MEMBERS AND TO PROVIDE CLASSES FOR THE ASSESSMENTS, TO REQUIRE THE ASSOCIATION TO ESTABLISH A PLAN OF OPERATION AND REQUIRE THE PLAN TO CREATE PROCEDURES FOR REMOVING A MEMBER OF THE BOARD UNDER CERTAIN CIRCUMSTANCES AND TO ADDRESS CONFLICTS OF INTEREST, TO PROSCRIBE CERTAIN DUTIES FOR THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO AID IN THE DETECTION AND PREVENTION OF INSURER IMPAIRMENTS AND INSOLVENCIES, TO PROVIDE THAT NO PERSON MAY USE THE EXISTENCE OF THE SOUTH CAROLINA LIFE AND ACCIDENT AND HEALTH INSURANCE GUARANTY ASSOCIATION FOR THE PURPOSE OF INSURANCE SALES, AND TO REQUIRE THE ASSOCIATION TO PREPARE A DOCUMENT DESCRIBING THE GENERAL PURPOSES AND LIMITATIONS OF THIS CHAPTER.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator BENNETT explained the amendments.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Goldfinch
Gregory	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson	Kimpson	Leatherman
Malloy	Martin	Massey
<i>Matthews, John</i>	<i>Matthews, Margie</i>	McElveen
McLeod	Nicholson	Peeler
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

On motion of Senator BENNETT, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

NONCONCURRENCE

S. 601 -- Senators Shealy and Hutto: A BILL TO AMEND SECTION 63-7-2350 OF THE 1976 CODE, RELATING TO RESTRICTIONS ON FOSTER CARE OR ADOPTION PLACEMENTS, TO ADD BACKGROUND CHECK REQUIREMENTS FOR EACH EMPLOYEE OF A RESIDENTIAL FACILITY WHERE CHILDREN IN FOSTER CARE MAY BE PLACED.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

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Senator SHEALY explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 0; Nays 41

AYES

Total--0

NAYS

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gregory
Grooms	Harpootlian	Hembree
Hutto	Jackson	Johnson
Kimpson	Leatherman	Malloy
Martin	Massey	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--41

On motion of Senator SHEALY, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned today, that it will adjourn to meet tomorrow at 1:00 P.M.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

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MOTION ADOPTED

On motion of Senator RANKIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Retired Lieutenant James Odell Cochran of Conway, S.C. James had 38 years experience with the Conway Police Department. James was a loving father who served his community well and will be dearly missed.

and

MOTION ADOPTED

On motion of Senator McELVEEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Athanasios Ouzounidis of Sumter, S.C. Athanasios immigrated to the United States from Greece when he was 18 years old. He owned and operated several restaurants. He enjoyed walking his dog, spending time with family and traveling. Athanasios was a loving husband and devoted father who will be dearly missed.

ADJOURNMENT

At 4:13 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

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